

ALGERIA'S STRUGGLE AGAINST TERRORISM

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SUBCOMMITTEE ON
INTERNATIONAL TERRORISM AND
NONPROLIFERATION
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ALGERIA'S STRUGGLE AGAINST TERRORISM

THURSDAY, MARCH 3, 2005

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL TERRORISM
AND NONPROLIFERATION,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 2:39 p.m. in room 2200, Rayburn House Office Building, Hon. Edward Royce, (Chairman of the Subcommittee) presiding.

Mr. ROYCE. The hearing today is going to be on Algeria's struggle against terrorism. Algeria has suffered through a violent insurrection that has led to some 150,000 human beings being killed since the early 1990s. Many of these individuals had their throats cut as a result of their resistance to the insurgency.

The conflict was waged between the Government and the terrorist-backed group, and mass atrocities were committed in Algeria. Though violence still clouds life in Algeria—the Armed Islamic Group (GIA) and the Salafist Group for Preaching and Combat (GSPC) terrorist groups remain active—successful security operations have eliminated many terrorist cells, significantly lowering casualties from the terrible highs of the mid-1990s.

As we will hear today, mixed with the political opposition that emerged when the political parties were legalized in Algeria in 1989 were 2,000 to 3,000 Algerians who had returned from Afghanistan after fighting the Soviets. In their years of battle, many had gained training and experience and certainly motivation to advance radical Islam using violence, including terrorism. After the Algerian military cancelled the 1992 election, these militants broke from the peaceful political opposition and they emerged as the GIA to wage a brutal war on Algerians and authorities and civilians alike. Babies were killed to keep them from growing up with apostate parents. In these jihadists' minds, the enemies were intellectuals, the doctors, people in civil society, teachers; unveiled women had acid thrown in their faces. This group rejected anything but the overthrow of the Algerian State. "No compromise, no negotiations" was the motto. Algerian security forces fought the GIA with no-holds-barred tactics, for which it was criticized. By the late 1990s, battered and discredited in the eyes of the Algerian people, the GIA was eclipsed by a new group, the GSPC. Many of the GIA morphed into that organization because they had lost the support of a lot of the countryside. Both groups are recognized as foreign terrorist organizations by the State Department.

United States authorities are rightly concerned about Algeria and its region. Some speak of the Sahara Desert as the “New Afghanistan,” where militants operate freely. In response, the Pan Sahel Initiative, the European Command’s counterterrorism training in Chad, in Mali, in Niger and in Mauritania, is set to expand into the Trans-Sahel Counter Terrorism Initiative, a development of interest to this Subcommittee.

I should mention that we recently returned from meeting with specially trained brigades in Chad, and had an opportunity to see these forces that had taken out a fairly large contingent of terrorist cells in Chad.

The United States is stepping up its relationship with the Algerian Government, largely through counterterrorism cooperation. In January, I was in Algiers and I discussed this cooperation with President Bouteflika. United States officials have said that there are lessons to be learned from Algeria’s struggle with terrorism. We hope to explore some of these lessons today, and ask if they are applicable to Iraq and to Afghanistan and elsewhere.

Counterterrorism cooperation with Algeria serves our interests. The GSPC, which has global reach, has aimed at U.S. targets many times. Ahmed Ressem, an Algerian trained in Afghanistan, was arrested at the United States-Canada border in 1999, and convicted for the failed Millennium Plot to bomb Los Angeles International Airport. Algerians in Canada have been linked to the GIA and to the GSPC. In an event that foreshadowed 9/11, the GIA hijacked an Air France flight from Algiers to Paris on Christmas Eve of 1994. Some of the released individuals who were hijacked told the French that the hijackers planned to fly the jet into the Eiffel Tower, and blow the plane up over Paris. Some estimate that Algerians represent the third largest al-Qaeda recruiting pool, behind, first, Saudi Arabia and then Yemen.

A more democratic Algeria with a better human rights record is a stronger Algeria, one more capable of checking terrorism. Algeria has made democratic progress. Last year’s Presidential election, while having shortcomings, was Algeria’s best ever. I am pleased that the International Republican Institute and the National Democratic Institute are here today to share their views and experiences on building democracy in Algeria and elsewhere. Other countries, including Iraq, are struggling to advance democracy, while contending with anti-democratic forces.

Outside support and pressure play an important role in advancing democracy and human rights. In using leverage though, we should not forget that Algeria must still contend with a number of Algerians who reject democracy and an even smaller number who willingly resort to violence and even terrorism in attempting to control Algeria’s future. Our engagement with Algeria faces many challenges, but I believe the two countries are more willing than ever to try to build a principled and mutually beneficial relationship. That sentiment was certainly expressed to us by President Bouteflika.

I will now turn to our Ranking Member, Mr. Brad Sherman, for any statement he may have.

Mr. SHERMAN. Thank you, Chairman Royce, for holding these hearings and ensuring equality on the witness panel. I look for-

ward to hearing from the Honorable Lorne Craner of the International Republican Institute, and Les Campbell of the National Democratic Institute, though perhaps not in that order.

We are glad, of course, to have Mr. Craner back. I would have expected to see less of him because they took human rights jurisdiction from our Subcommittee, and because he is no longer the Assistant Secretary for the Bureau that handles human rights, but I guess all the forces in Washington designed to keep us apart have been unsuccessful. Welcome back.

I welcome another frequent witness, Tom M. from Human Rights Watch, as well as our other witnesses.

I think that we are generally following the correct approach to Algeria and broad outline. That has been one of working with an ally against terrorism and continuing to press for political reform, and respect for freedom and human rights.

Algeria is indeed a solid friend in the war against terrorism. It has less than a stellar record on human rights, but one that is improving in several key respects. It has fought and largely won the civil war against Islamists while at the same time undergone and completed very important democratic reforms. These trends should be continued with our assistance.

So we have a balancing act as we often have in the so-called global war on terrorism between support for a friendly regime and support for greater democracy, freedom and human rights. When we balance, the question has to be how far are we willing to lean in one direction or the other. There are serious human rights problems to this day in Algeria, but this is not a country that we can afford to ostracize or write off, nor does its record deserve such treatment, or at least its current record.

As has been reported, it is likely that North Africa, as the Chairman points out, will be a greater focus of effort for the Bush Administration and our efforts against terrorism. The European Command's efforts to train security forces in the Sahara region, Chad, Mali, Niger and Mauritania, the Pan Sahel Initiative, will be enlarged to include Algeria and redubbed the Trans-Sahel Counter Terrorism Initiative. It is believed that The Sahara and Sahel could provide the same type of terrorist sanctuary that Afghanistan provided under the Taliban, and obviously we need to make sure that that is not the case.

Algeria's painful history during the 1990s provides a lesson to us, however one that we need to examine. What should be done with Islamists who use constitutional mechanisms to achieve or come close to achieving political power? What is the best approach to Islamist movements which are willing to participate in the normal political process, or at least at a minimum willing to provide one person, one vote, one time? Can, and if so how, do you separate modern Islamists from violent terrorists, and what do you do when Islamists win elections?

The military in Algeria decided to cancel the second round of parliamentary elections in which the Islamists coalition, FIS, was basically assured of a resounding victory.

But how bad was Islamic Salvation Front (FIS)? Certainly it included many violent elements, advocates of a harsh regime hostile

to the West and to Algeria's secular traditions. But it also included other less problematic elements.

What is certain is that cancelling elections, coupled with the complete proscription of FIS, led to a civil war which may have claimed as many as 150,000 lives. It has been argued that the marginalization of the FIS led to the formation of two terrorist organizations which have not only menaced Algeria, but have attacked America as well.

These two groups, GIA and the GSPC, merged and developed reach beyond North Africa. For example, GSPC is a participator, or at least has been implicated, in the Millennium Plot against LAX, which is very close to the hearts of both the Chairman and myself since we are there weekly. Plots to blow up several U.S. Embassies in 2000 and 2001, and a plot to kill President Bush at the G-8 conference in Italy.

The GSPC and the GIA have close ties not only to each other—and as may have been suggested from its various efforts, they have ties to al-Qaeda. GSPC has openly declared allegiance to bin Laden's jihad.

No one faults Algeria for fighting these two terrorist organizations. For that, as we suggest, we are grateful and look forward to working with them, but we need to examine the Algerian experience not only for lessons on how to defeat militant Islamists, but how to prevent political Islam. Those who seek a greater voice for religion in their governance and in their countries, we need to prevent those in political Islam from choosing the path of violence.

While comparison to the FIS may not be completely on point, the winners in the Iraqi elections represent to some degree political Islam, albeit a Shiite variety and albeit a much less problematic variety.

It is our men and women now who are on the frontlines in Iraq, and who will face the outcome of that election.

Mr. Chairman, I thank you for holding these hearings. I will have to be absent from them for some time, but I will be back.

Mr. ROYCE. Thank you. Let me introduce our witnesses at this time if I can. The Honorable Lorne Craner is President of the International Republic Institute, a post he previously held from 1995 to 2001. In between stints heading IRI, Craner served as Assistant Secretary of State at the Bureau of Democracy, Human Rights and Labor. For his work at the State Department, Craner was awarded the Distinguished Service Award which is the Department's highest honor.

I want to add my commendation of Mr. Craner's work while he was still at IRI. I had the pleasure of working with him on an IRI election monitoring delegation to Nigeria, which I co-led with General Colin Powell at the time, and we thank you for your good work.

An equally impressive witness that we have with us is Mr. Campbell, Senior Associate at the National Democratic Institute where he directs the institute's programs in the Middle East and North Africa. Under Campbell, the NDI has established nine permanent offices in the Middle East and North Africa, and he has organized numerous election observation missions in the region.

Before joining NDI, Campbell worked for the leader of the New Democratic Party in the Canadian House of Commons.

Dr. Harlan Ullman is a Senior Advisor at the Center for Strategic and International Studies. He is a columnist for *The Washington Times* and he is the author of, most recently, *Finishing Business: 10 Steps to Defeat Global Terror*.

Prior to joining CSIS, Ullman was an officer in the Navy, retiring at the rank of Commander. While in the Navy, he served in Vietnam, and commanded a destroyer.

Mr. Tom Malinowski is the Washington Advocacy Director for Human Rights Watch. Before joining Human Rights Watch, he was a Special Assistant to former President Bill Clinton, and Senior Director for Foreign Policy Speechwriting. He also served as a legislative aide to the late Senator Moynihan.

Mr. Lorenzo Vidino is the Deputy Director at The Investigative Project, which monitors and evaluates terrorist activity. Vidino's articles on the Middle East and terrorism have been published in numerous newspapers and journals, and he regularly appears on United States-Canadian and Italian TV to discuss terrorism.

We have a five-witness panel here today because each of you bring an important perspective. Your presentations will be limited to 5 minutes so we can get to more interesting questions during our session, and unfortunately, we have to be out of the room by 4 o'clock. So that sort of demands that we hold your statement to 5 minutes.

Mr. Craner, if you would like to begin.

**STATEMENT OF THE HONORABLE LORNE W. CRANER,
PRESIDENT, INTERNATIONAL REPUBLICAN INSTITUTE**

Mr. CRANER. Mr. Chairman, thank you for the opportunity to testify today. It is a great pleasure to appear before all of you again. Mr. Chairman, I want to give you a special thanks for all you have done to advance human rights and democracy around the world, and I look forward to continuing to work with you in the future.

I am not, as I said in my written testimony, an Algerian expert. What I can offer is a comparative perspective on the advances in Algeria's democratization and human rights versus others in the region. I also have some thoughts on weighing our interests in the relationship, an issue I spent some time on in the State Department.

I visited Algeria a little over a year ago as Assistant Secretary for Democracy, Human Rights and Labor, following up on a trip by Secretary Powell to the region in December 2003, during which he emphasized issues of democratic reform in keeping with President Bush's new policies toward the Middle East.

I spent time with a range of people, government to opposition to journalists to families of the disappeared from both sides in the conflict. I found a nation with a civil war winding down, political parties and journalists criticizing the Government, and a military vowing to stay out of politics.

I commended the Algerian Government during a long press conference at the end of my trip for ending terrorism violence in the country; talked about common interests with the United States, including extensive cooperation in the war on terror.

I did note a number of problems in the run-up to the April 2004 elections, including uneven coverage of Government and opposition candidates in state-controlled TV; the state of emergency law that impeded legitimate political expression; and I also condemned the generally increased harassment of journalists.

I answered a number of questions at the time resolving the disappearances from the civil war. In the weeks before the election, during the official campaign period, state-controlled TV offered greatly improved coverage. The election itself was, according to Bruce George, the OSC's leader in Algeria, not a perfect election, but by the region's standard it was excellent.

Algeria's state of emergency remains in effect, and harassment of the press has greatly escalated since the elections.

A number of Arab governments have offered as an explanation for repression that they are what stands between violent Islamic fundamentalists and the Presidential Palace. The Government of Algeria has a more honest assessment of political opposition figures in its country, differentiating them from terrorists, but it does have some way to go in allowing the loyal opposition to act freely.

As you noted, Algeria has been very cooperative with the United States in the war on terror. Given the number of terrorists with backgrounds from Algeria, the Government naturally had much useful information to share with us after 9/11.

I think there are two pertinent questions raised in considering their struggle against terrorism. The first is the methodology used by the Government, which I do not think any of us would advocate copying. While on its face militarily successful, the conduct of the war is replete with disappearances, leaves a great many issues like those that have been faced elsewhere in dirty wars.

In terms of positive lessons to be learned from the Algerian experience, it is worth noting that as in Central America, South Africa, and most recently Afghanistan, and I would say I hope Iraq, support for violent opposition can be lessened by affording people an alternative opportunity to express their views; namely, the opportunity to participate in democratic elections.

A second broader question is the matter I referred to at the beginning of my testimony, how we should weigh issues of security versus human rights. Based on my experience at the State Department, I believe we can advance both simultaneously.

I would also argue that on the long run working democracy and human rights in Algeria will advance our goals.

First, cooperation on terrorism is in Algeria's best interest and will be pursued whether or not these other issues are raised in the relationship.

Second, as I said before, opening up the political system will give a peaceful outlet to those dissatisfied with the current status quo.

Third, in the long run, it is clear Algeria's political system is beginning to open up, if only for pragmatic reasons. It will be a mistake for us to fail to back democrats who will one day come to power in Algeria, just as we would have been mistaken to ignore democrats in Chile, South Korea, the Soviet Union, Georgia, and the Ukraine over the last few decades.

That concludes my statement. Thank you.

[The prepared statement of Mr. Craner follows:]

PREPARED STATEMENT OF THE HONORABLE LORNE W. CRANER, PRESIDENT,
INTERNATIONAL REPUBLICAN INSTITUTE

Mr. Chairman, members of the Subcommittee, thank you for the opportunity to testify today. It is a great pleasure to appear before you in my first hearing since leaving the State Department last August.

Mr. Chairman, I want to give you special thanks for all you have done to advance human rights and democracy around the world, particularly on the African continent. I look forward to continuing to work with you in the future.

I am not, as you know, an expert on Algeria. What I can offer is a comparative perspective on the advances in Algeria's democratization and human rights versus other nations in the region and elsewhere. Given Algeria's recent history, and its critical role as an ally in the war on terror, I also have some thoughts on weighing our interests in the relationship, an issue I spent much time on at the State Department in the years after 9/11.

A friend of mine who lives in North Africa recently noted that Algeria lies between Morocco and Tunisia, and he wasn't talking only about geography. Morocco has for some years, including before 9/11, been liberalizing its political system, and is today regarded as a leader in the Arab world in making progress on human rights and democracy. By contrast, Tunisia, which has made great advances over the past few decades in economic reforms and the rights of women can fairly be said to fall in a category with other politically repressive states in the Middle East. In between lies Algeria.

I visited Algeria in January 2004, when I was still with the State Department. My trip followed that of Secretary of State Colin Powell to the region in December 2003 during which he emphasized issues of democratic reform in keeping with President Bush's new policies towards the Middle East. I spent time with a range of people, from government and opposition leaders to journalists and families of the disappeared from both sides in the country's conflict.

Anyone who thinks of Algeria as it was in the 1990s should visit, for the country is a very different place. The country's bloody civil war, which the government recently stated cost 150,000 lives, is now all but over. Political parties, some very critical of the government, are allowed to exist. At the time I visited, elections that were expected to be among the more open in the Arab world were being planned. Algeria's military had vowed to stay out of the country's elections, a major issue in past balloting. The press was, at the time of my visit, perhaps the most free-ranging in the Middle East and North Africa. My visit, and my comments during a press conference that lasted almost an hour at the end of my trip, were widely reported within Algeria in a manner ranging from sober to inaccurate—an encouraging sign for one used to press reporting in our own democracy.

During that press conference, I commended the Algerian government for ending terrorist violence in the country. As recently as the beginning of this decade, thousands were still being killed in the conflict. Although there is still violence (last week, for example, four Algerian soldiers were killed in an ambush by an Al Qaeda aligned group, the Salafist Group) Algerians talked during my trip about how much safer they felt, and how as a result their ability to travel in and between cities has greatly improved. Looking forward, I talked during the press conference about our common interests and extensive cooperation in the war on terror. I also noted some movement to liberalize the economy, and talked about the potential for increased U.S.-Algerian trade.

I said during my January 25, 2004 press conference that, with an international spotlight on Presidential elections in April 2004, Algeria had the opportunity to show the world that it had "moved beyond the 1990s and is well on the path to joining the growing number of democracies around the world." I then listed a number of shortcomings in the period before the elections that, given world standards, could call the legitimacy of the process into question. I was particularly concerned about the very uneven coverage of the government and opposition candidates on state-controlled television. Portions of the country's State of Emergency law impeded legitimate political expression, such as demonstrations. Given greatly reduced violence, I questioned the need for continuation of that law. While noting how open the press was, I condemned the generally increased harassment of journalists through fines, mainly for reporting on the country's politics. I also answered a number of questions regarding controversies over efforts to resolve thousands of "disappearances" from the civil war.

In the weeks before the election, during the official campaign period, state controlled television offered greatly improved coverage of the political opposition. The election itself was, according to Bruce George, the leader of the Organization for Se-

curity and Cooperation in Europe's observer delegation, "not a perfect election but by the region's standards it was excellent."

Algeria's state of emergency remains in effect; its termination has become a factor in political discussions of a recent government-proposed amnesty. Harassment of the press escalated after the elections, with journalists now being imprisoned for terms from two to 24 months, closure or suspension of two newspapers, and more self-censorship by the press.

A number of Arab governments have offered as an explanation for repression that they are all that stands between violent Islamic fundamentalists and the Presidential palace. The government of Algeria has a more honest assessment of political opposition figures in its country, differentiating them from terrorists, but it also clearly has some way to go in allowing the loyal opposition to act freely.

IRI IN ALGERIA

IRI has been working in the Middle East and North Africa since the early 1990s, and our activities were greatly expanded by President Bush's new policies toward the region. In July 2004, IRI organized the second in a series of Partners in Participation (PiP) women's campaign training programs designed to enhance the skills of emerging women political leaders through training in campaign planning, message development and outreach. Held in Tunis, and supported by the Middle East Partnership Initiative, the school brought together 60 women from Morocco, Tunisia and Algeria.

The Algerian group consisted of 14 women selected based on their leadership roles as journalists, political party activists, business leaders and non-governmental activists. In addition to skills training the forum provided an excellent networking opportunity for the participants.

IRI is currently launching an interactive website for the *PiP* program that will serve as an online resource for civic and political participation materials and will facilitate ongoing networking between women leaders in the region. We are looking for opportunities to expand our work in Algeria. I do want to take this opportunity to commend to you the program of the National Democratic Institute in Algeria, headed by the extremely capable Julie Denham; I know my NDI colleague Les Campbell will be telling you more.

COOPERATION ON TERRORISM

Algeria has been very cooperative with the United States in the Global War on Terror. Given the nature of the country's civil war, Algeria was a magnet for violent Islamic fundamentalists long before 9/11. One need only read the background of a fair number of terrorists being captured today to understand that many were participants in that conflict. The Algerian government naturally had much useful information to share with us after the attacks on the World Trade Center and the Pentagon.

As America pursues Osama Bin Laden and his henchmen, I think two pertinent questions are raised in considering Algeria's struggle against terrorism. The first is the methodology used by the government in the conflict. There can be no question that the terrorists in Algeria were by far the most brutal side during the conflict. But I don't think any of us would advocate copying wholesale the government's methodology during their internal war against the terrorists.

While on its face militarily successful, the conduct of the war, replete with disappearances, leaves a great many issues like those that have been faced elsewhere after other "dirty wars". Algerian society will suffer for years from the yet unresolved effects of the disappearances. Algeria's government should be commended for beginning to face up to this issue even before the conflict's conclusion—countries in Latin America waited at least a decade before trying various instruments of truth and reconciliation. The willingness to establish in 2003 a reconciliation mechanism, recent efforts to improve it, and a proposal by the government last month of amnesty should be praised. The conflicts over the current reconciliation mechanism—which appears to be satisfying neither the families of disappeared civilians, government soldiers or terrorists—point to the need for further modifications to bind emotions stirred by the conduct of the war.

In terms of positive lessons to be learned from the Algerian experience, it is worth noting that, as in Central America, South Africa, and most recently Afghanistan (and I believe Iraq) support for violent opposition can be lessened by affording people an alternative opportunity to express their views, namely the opportunity to participate in democratic elections.

A second, broader question is the matter I referred to in the beginning of my testimony: how we should weigh the issues of security versus human rights in dealing

with Algiers. Given our common security interests, we would be better off continuing the long-standing pre-9/11 U.S. policy of hardly raising such issues in the Middle East¹, argue some.

Based on my experience at the State Department, including work with Ambassador to Algeria Dick Erdman, Assistant Secretary William Burns, Counterterrorism Coordinator Cofer Black and others, I believe we can advance both our security and human rights interests concurrently. I would also argue that in the long run working to foster democracy and human rights in Algeria will advance our security goals.

First, cooperation on terrorism is in Algeria's best interest, and will therefore be pursued whether or not other issues are raised in the relationship. America's reach is much longer than Algeria's; many of the terrorists brought to justice in Afghanistan or Indonesia might otherwise one day have returned to Algeria. Second, opening up the political system will give a peaceful outlet to those dissatisfied with the current status quo. As I noted above, instead of being driven to more radical means to express their opinions, they should be offered the opportunity to express them in an increasingly democratic political system. Democracies are certainly not immune from terrorism, and can even produce terrorists, but for every Timothy McVeigh there are hundreds of Khalid Shaikh Mohammads and Mohammad Atefs raised in dictatorships. (It is instructive that of the FBI's twenty five "most wanted" terrorists after 9/11, none was raised in a democracy.) Third, in the long run, it is clear that Algeria's political system is beginning to open up. If only for pragmatic reasons, it would be a mistake for us to fail to back democrats who will one day come to power in Algeria, just as we would have been mistaken to ignore democrats in Chile, South Korea, the Soviet Union, Georgia and Ukraine over the last two decades.

In sum, it is clear to me that Algeria has progressed much further than most other nations in the Arab world in democratic practices. It still has a distance to cover in overcoming the legacy of its conflict, and in meeting what over the last two decades have become world standards of democracy and human rights. With continued progress on these issues, the United States and Algeria should be good partners in the war on terror and be able to broaden other aspects of our relationship.

That concludes my statement. I would be happy to answer any questions you have.

Mr. ROYCE. Thank you, Mr. Craner.
Mr. Campbell.

**STATEMENT OF MR. LESLIE CAMPBELL, SENIOR ASSOCIATE
AND REGIONAL DIRECTOR, MIDDLE EAST AND NORTH AFRICA
PROGRAMS, NATIONAL DEMOCRATIC INSTITUTE**

Mr. CAMPBELL. Good afternoon, and thank you, Mr. Chairman, Mr. Sherman, Ms. McCollum.

Algeria is often held out as an example of the folly of political liberalization in the Arab world. The FIS, as the story goes, having used political means to win an election in 1991 would have behaved anti-democratically—one person, one vote, one time—to use the often repeated phrase. In reality, Algeria is more of an example, and a reminder that there is an explicit link between reduced or nonexistent political space and increased terrorist activity.

The cancellation of the 1990–91 elections and the subsequent banning of the Islamic Salvation Front (FIS) had the effect of driving constructive and authoritative Islamic leaders underground, leaving radicals to turn on the State and eventually to turn on Algerian citizens themselves.

¹According to the Human Rights Watch 2001 World Report, for example, the then-Assistant Secretary of State for Democracy, Human Rights and Labor, visiting Algeria less than a year before 9/11, made "public remarks about local conditions [that] were general and brief." The 1990 Human Rights Watch Report noted that, aside from the annual State Department Human Rights Reports, "the Bush administration made no public comment on human rights matters in Algeria, either to note commendable efforts at reform or to express concern over ongoing abuses."

The increase in political space in Algeria through Presidential elections in 1995 and again in 1999; legislative and local elections in 1997 and 2002; and the Presidential election in 2004, along with simultaneous political “normalization,” as the Algerians call it, in many other spheres, has set the stage for the military and security measures necessary to successfully rid the country of many, but not all, of the worst terrorist actors.

Known for violence, Algeria has actually had a remarkable, if unheralded, decade of political liberalization. Algeria, until the recent elections in Iraq and Palestine, had a head of state with the most democratic legitimacy in the Arab world. Not from a perfect election as Mr. Craner said, but better than most that have occurred in the Arab world.

Algeria now has legal and effective Islamist political parties: The MSP, MRN/Al-Islah and Ennahda. Algerians wishing to express their political views, even Islamist views, now have outlets. Radical Islamists and terrorists have largely been shunted to the fringes.

Lest I portray too optimistic and rosy a picture, I should note that Algeria has a long way to travel to be truly democratic. Stamping out the remaining violence is not simply a question of taking the remaining terrorists out of commission. For a democracy to be real and enduring, it must also mean (1) transferring genuine authority to civilian institutions of government in Algeria—not only the executive but also the legislative and judicial branches; (2) providing effective political representation for the population via vibrant political parties and civil society organization; and (3) enacting and enforcing the battery of reforms necessary to establish the rule of law in Algeria.

The National Democratic Institute (NDI) has four recommendations along these lines.

Recommendation number one: Apply guarantees of freedom and assembly and association that are already guaranteed by Algeria’s 1996 Constitution. Today, of the emergency law provisions that were imposed in 1992 and remain in place, most of those relating to terrorism are no longer being utilized; for example, curfews. However, the law is utilized to limit the political opposition, especially in terms of meetings, public meetings and the like.

Recommendation number two: Improve the transparency of the electoral system through further reform. Two necessary reforms: (1) create an open and standardized voters list to which the parties have access, and (2) encourage independent nonpartisan election monitors, including Algerian election monitors.

Recommendation number three: Insure the separation of powers by building further checks and balances into the system. This could include encouraging parliament to take a more active oversight role, reenforcing the independence of the judicial system, and improving transparency of the Executive Branch through an Algerian version of the Freedom of Information Act.

Recommendation number four: Protect press freedoms that have already been achieved and enhance freedom of expression by opening up the country’s audio visual media. Those of you who have been in Algeria will know that Algerian newspapers are very lively, very free, but TV and radio have not followed suit.

In conclusion, Mr. Chairman, I would like to end on a note of optimism, and say that if Algeria chooses to move forward with the development of democratic institutions, it could gain twin distinctions of overcoming terrorist violence, and it could also join the ranks of Arab and African countries that are truly willing to democratize.

Thank you.

[The prepared statement of Mr. Campbell follows:]

PREPARED STATEMENT OF MR. LESLIE CAMPBELL, SENIOR ASSOCIATE AND REGIONAL DIRECTOR, MIDDLE EAST AND NORTH AFRICA PROGRAMS, NATIONAL DEMOCRATIC INSTITUTE

On behalf of the National Democratic Institute (NDI), I would like to thank the Committee for this opportunity to discuss the relationship between Algeria's struggle against terrorism and the country's political development.

INTRODUCTION

Algeria today is emerging from over a decade of deadly civil strife. Fueled by years of political and economic mismanagement under the one-party system, the conflict escalated when the Algerian military assumed control of the country's government after the Islamic Salvation Front (FIS) won a landslide victory in the December 1991 legislative elections. Following the loss of over 150,000 lives, billions of dollars of infrastructure and years of progress on the human development front, Algeria may finally be on the verge of turning the corner to a more peaceful and prosperous future.

It is important to recognize that, even during the years of greatest violence and upheaval, the Algerian government made the decision to embark upon a series of political reforms that included: regular elections and an attempt to build democratic institutions. Until recently, Algeria was one of the few Arab countries to have undertaken such reforms. This attempt to build democratic institutions, while not as far reaching as many observers might have hoped, has clearly had a positive effect on the country's development and, particularly, in its attempts to combat terrorism within its borders. The development of representative institutions of government can be seen as an attempt to address one of the root causes of terrorism in Algeria, and while these institutions are still far from being genuinely democratic today, without them, the possibility of Algeria's emerging from its long civil conflict would be greatly diminished. If Algeria chooses to move forward with the development of democratic institutions and continued expansion of press freedom it could gain the twin distinctions of overcoming terrorist violence and joining the ranks of Arab and African countries that are truly willing to democratize.

NDI Work in Algeria

NDI has followed political and electoral developments in Algeria since 1997. At the request of the United States government, NDI organized a 13-member delegation to the June 5, 1997 parliamentary elections as part of a larger United Nations international observer delegation that monitored the conduct of these, the first multiparty parliamentary elections to be held after the outbreak of terrorist violence in Algeria in 1992. Deployed throughout the country on the eve of these elections, the NDI delegation was able to observe first-hand the civilian and military voting processes in several different provinces. Based on the findings of the observers and extensive interviews with political party, civil society and media actors, as well as with the Algerian authorities, a 60 page report detailed its findings and made recommendations to the Algerian authorities.

Following the 1997 elections, NDI received a grant from the US State Department, enabling the Institute to work with the newly elected members of parliament, many of whom were first time office holders, as well as with the leadership of Algeria's six main political parties, on topics such as party organizing, communications and constituency outreach.

In January 2002, with continued US government support, NDI was the first, and to date, only, American NGO to open a field office in Algeria, enabling the Institute to provide political parties, NGOs and journalists with ongoing technical assistance on election planning, voter contact and pollwatching prior to the legislative and local elections held that year. Resident staff were likewise able to informally observe the entire electoral process for both the 2002 and subsequent 2004 polls.

With the overall goal of encouraging more representative and accountable governance, NDI is today working to assist political parties and civil society organizations to become the engines driving political, economic, and social reform in Algeria. Specifically, NDI's current programs in Algeria are designed to: 1) improve the organizational and communications capacity of political parties; 2) assist civil society organizations to become stronger advocates for political reform; and 3) increase the participation of women and youth in political life.

To provide but one concrete example of this work, permit me to mention NDI's ongoing support to emerging Algerian women politicians, which includes an initiative to help women activists achieve greater representation in party leadership posts and elected office via training and advocacy. In 2004, NDI organized a leadership skills training retreat for 38 women political leaders. The Institute also helped to create a multiparty women's working group that recently developed a list of recommendations for increasing women's political participation, which includes legislative and voluntary political party quotas, and transmitted these proposals to the Algerian government and party leaders along with a request for action.

A key aspect of all of this work has been NDI's effort to create opportunities for activists from across the political spectrum, as well as from the civil society and media sectors, to come together and debate the reforms needed to put their country on the road to a genuine democratic transition. NDI is supporting these courageous activists as they seek to energize the democratization process and install the institutions and practices of peaceful political expression.

ALGERIA'S STRUGGLE WITH TERRORISM

In a speech before the General Union of Algerian Workers last week, President Bouteflika cited for the first time dismal new figures that help to capture just how difficult the 1990s were for Algerians. In the struggle against terrorism, some 150,000 people lost their lives, and the country sustained some \$30 billion in material and infrastructural damage. Add to this the 7,200 cases of forced disappearances acknowledged by the Algerian government (one local organization with which NDI works puts this figure as high as 18,000), as many as 10,000 cases of abductions by terrorist groups, and the over 100,000 people displaced or forced to leave their homes during this period, and you begin to get a sense of the human scale of this national tragedy.

The security situation in Algeria has dramatically improved in the last few years, thanks in large part to the efforts of the security forces and simple citizens, as well as to negotiations and political settlements with some of the terrorist groups that have encouraged the latter to put down their arms. Much remains to be done to completely defeat terror in Algeria, but there has been a tremendous improvement in the quality of life of for the vast majority of the population. People are beginning to live and dream again, and as such would like to turn the page on this dark chapter in their country's history.

But, as the saying goes, "before one can turn the page, one must read it." And so for Algerian citizens and the international community alike, it is critically important that we take a hard look at what happened in Algeria in the 1990s, and extract the often painful truths and lessons. For, as the figures above attest, the lives of millions were touched by this tragedy, and will continue to be so for several generations. Simply sweeping the difficult memories under the rug will not make them go away. Instructing the population to forgive and offering subsidies to the thousands of victims and their families might help some people to move on, but it will not get at the roots of the deadly combination of political, economic and social problems that helped give rise to the terrorist phenomenon in Algeria, and thus will, at best, remain a partial and superficial remedy.

The rise in terrorist violence in Algeria in the early 1990s was sparked in large part by a series of political decisions that brought an abrupt end to the democratic transition begun in 1988 and pushed the most radical segment of the regime's political opposition into armed rebellion, first against the state, and later against any segment of the population, domestic or foreign, that did not aid and abet them. This explicit link between reduced political space and increased terrorist activity is an important lesson from the Algerian experience, both for Algeria's current and future governments and the international community.

The Beginning of Political Liberalization

A confluence of political, economic and social factors put increasing pressure on the Algerian state system during the 1980s, culminating in October 1988 in riots in working class neighborhoods of Algiers that quickly spread to the country's other major cities. In an effort to put down these riots, the security forces fired on the crowds, resulting in several hundred deaths, and the arrest of many hundreds more.

While the political unrest was put down in a few days, the crisis of October 1988 led to the liberalization of Algerian political system.

In an effort to manage the crisis, President Chadli Bendjedid's regime drafted a new constitution that separated the ruling FLN party from the state, and also allowed for the creation of a multi-party system, NGOs and an independent press. The succeeding months saw the rapid creation of over 40 political parties, human rights leagues, women's associations, cultural movements and new daily and weekly newspapers. Among the parties created and legalized in 1989 were those that had a fundamentally different conception of the Algerian state, from those that openly sought the Islamicization of the system, such as the Islamic Salvation Front (FIS), to others that explicitly advocated for a secular republic and greater recognition of the Berber ethnic identity, such as the Rally for Culture and Democracy (RCD). Thus, the beginnings of political pluralism began to take root.

It should be noted, however, that military-backed regime's decision to liberalize the political system was not done for altruistic reasons, but rather to enable it to preserve its own hold on power. One important political decision was the sequencing of elections, or the decision to have the President serve out his term while holding municipal and legislative elections in 1990 and 1991, respectively. While this guaranteed that the executive-dominated political system remained in the hands of the regime, it also meant that the President had little popular legitimacy, and thus was relatively weak vis a vis his military backers. A second decision to engineer a "first past the post," as opposed to proportional representation system for the 1991 legislative elections, while in theory intended to privilege rural districts where the FLN was strongest rather than urban constituencies where the FIS had swept to victory in the 1990 municipal elections, escalated the tensions between the regime and the FIS leadership. Third, and as a result of an outbreak of unrest related to the design of the electoral system and timing of the legislative elections in June 1991, the regime arrested the more authoritative and constructive of the FIS leaders, and the more moderate voices within the Algerian regime resigned or were sidelined.

Banning the FIS

Contrary to what the electoral engineers had sought, the FIS scored a massive victory in the first round of legislative elections, finally held in December 1991, and was well placed to further consolidate these gains in the second round, to be held in early January. The army subsequently decided to force the resignation of President Chadli Bendjedid, and over the protests of the FLN, FFS and FIS, the three parties that had won the largest number of seats in the first round, cancelled the elections. The regime then went on in February to outlaw the FIS and instituted a state of emergency, which, incidentally, is still in force today. The regime therefore effectively closed off what remained of the legal and peaceful means by which the country's largest opposition party, the FIS, could contest political power; tragically, the more radical elements of the FIS, which had now gained the upper hand, turned to terrorist acts against state institutions and employees.

As has been noted by the International Crisis Group in their 2004 report on *Islamism, Violence and Reform in Algeria*, the authorities' decision to transform ordinary members of what had been a legal party into outlaws had the effect of driving them into the arms of the most extremists elements within and close to the FIS—groups that might otherwise have remained marginal. And so Algeria's experience with terrorism began. This is not a justification of the decision of those FIS members still at large to take up arms but shows that an important root of the terrorist phenomenon in Algeria was the decision of the authorities to close off all avenues of peaceful expression to their main political opponents.

State violence on a vast scale

From 1992 onwards, a series of nominally civilian governments put in place by the army were unsuccessful in ending the terrorist violence perpetrated by the armed groups close to the FIS. In fact, the violence increased dramatically from 1992–1994, and increasingly began to claim the lives of those who had nothing to do with the state or its security apparatus: journalists, opposition politicians, artists, teachers, foreigners, etc. And this despite the fact that the Algerian regime used all the tools at its disposal, legal or not, in its fight against terrorism, including: torture, detention without trial in camps in the south of the country, special courts that pronounced death sentences, sweep operations and summary executions in a wave of repression that extended far beyond the ranks of the Islamists.

Aborted attempts at dialogue with the FIS

When by 1994 it became abundantly clear that fighting violence exclusively with violence would not suffice to win the war, some within the army leadership became convinced that it was necessary in parallel to engage in dialogue with the opposi-

tion, including the banned FIS. This option of dialogue was not universally embraced within the army brass or civilian political circles, however, and thus began the polarizing era of internal battles between the “eradicationists” and the “dialoguists.” The eradicationist current within the regime would win this round, and the efforts of those who had sought to reach out to the FIS would come to naught.

The “dialoguists” within the political class were somewhat more successful, however, and were able to bring together representatives of the FLN, FFS, legal Islamist parties, the Trotskyite Worker’s Party, the FIS and the Algerian League for the Defense of Human Rights in Rome, where they negotiated and signed a peace plan in early 1995. Despite the fact that the Rome agreement secured major concessions from the FIS, including the rejection of violence as a means of acceding to or maintaining power; the respect for political pluralism and the alternation of power through universal suffrage; and the guaranteeing fundamental liberties; it was pronounced dead on arrival by the authorities in Algiers. With the FIS and the armed groups still excluded from the political process, the violence thus raged on.

Political “normalization”

Instead, the Algerian regime launched its own “normalization” process in 1995. In a nutshell, this process sought to restore the trappings of civilian government to the country, while pursuing an all-out war against the terrorists, in cooperation with “patriot militias,” or local self-defense groups that had been armed by the regime. The army, however, would still remain the king maker behind the scenes. This process began with a presidential election in 1995, which saw General Liamine Zeroual, until then the leader of the army-appointed executive, elected President from a field of four candidates. A constitutional consultation process (boycotted by the opposition) and referendum followed in 1996, which, among other things, instituted a part indirectly elected, part appointed upper House, which would have to approve any legislation passed by the parliament by a 3/4 majority. The first cycle of this process was completed in 1997, with the election of a 380 member multiparty parliament in June, and 48 provincial level councils and over 1500 municipal councils in October.

The 1995 and 1997 elections were held amid a climate of extreme violence, with armed groups having announced publicly that they would target voters. Nevertheless, candidates from across the political spectrum (excluding the still banned FIS) actively campaigned for these elections on the ground and through the print and audiovisual media, and a majority of the population turned out for the vote. These elections can thus be credited with helping to bring about a formal return to civilian rule (although the army continued to play a dominant behind the scenes role), and enabled the establishment of institutions that, if not totally legitimate, at least provided some opportunity for political debate and consensus building. As has noted historian Hugh Roberts, “this restoration of the civilian political sphere has undoubtedly been a necessary, though not a sufficient, condition of a resolution of Algeria’s crisis. It has long been clear that only by providing institutional channels for the peaceful expression of competing outlooks and interests could the Algerian state hope to end the violence which had been ravaging the country.”

That being said, there is an important distinction to be made between “political normalization” and “democratization.” The 1995 and 1997 elections, and the resulting elected assemblies, were far from democratic. Credible allegations of massive electoral fraud during these elections, from voter intimidation to ballot box stuffing to the rigging of vote tallies, abound and are more or less acknowledged, even by the governing parties in Algeria today. Likewise, after some initial optimism about the legislative and executive oversight roles that might be played by the new parliament, it quickly became clear that this was not part of the authorities’ game plan. While MPs did launch a commission of inquiry into electoral fraud in 1998, for example, the findings were never debated by parliament or made public. MPs were able to question government ministers, including on sensitive security issues such as the atrocious massacres of 1997–98, but there was no mechanism to exercise real oversight of the ministers, given that they are not responsible before the parliament, but rather owe their appointments to the president and the decision makers behind the scenes. All efforts by both government and opposition MPs to initiate legislation were also obstructed, with the draft bills never making it any further than the speaker of parliament’s desk.

The combination of the flawed electoral processes in 1995–97, the relative powerlessness of the resulting elected institutions, and some spectacular cases of corruption and cronyism by both MPs and local elected officials have unfortunately succeeded in convincing much of the Algerian population that the act of voting in itself is futile and that political change is not brought about through the ballot box in this coun-

try. The 1999 presidential elections, which saw the withdrawal of six of the seven candidates on the eve of the election, and the victory of the remaining, army-backed candidate, Abdelaziz Bouteflika, further confirmed this idea.

However problematic the 1999 presidential elections may have been, however, President Bouteflika's first mandate did provide the opportunity for the political ratification of a ceasefire agreement previously negotiated between the army and the armed wing of the FIS, and thus moved the country a step further in its struggle to end the terrorist violence. Bouteflika's "Civil Concord Law" received the unanimous support of the Algerian parliament and his demarche went on to be ratified by Algerian citizens in a massive "yes" vote in a September 1999 referendum. All members of armed terrorist groups that agreed to lay down their arms by mid-January 2000 would be amnestied, and those that had not been convicted of "blood crimes" would be pardoned. The civil concord law, as well as the army's continued pursuit of the remaining armed groups helped to dramatically reduce violence against civilians during President Bouteflika's first mandate.

Also important during Bouteflika's first mandate was his public recognition that the cancellation of the 1991 elections was "an act of violence," an idea which is increasingly accepted by a broader segment of the Algerian political class today. Bouteflika likewise took the politically sensitive first step of acknowledging the problem of forced disappearances during the fight against terrorism, and of putting in place a governmental human rights body, the Ad-Hoc Mechanism for the Disappeared, in 2003, with the stated aim of elucidating the circumstances of those disappearances and devising practical solutions to assist the victims' families.

Moving forward

In large part due to his efforts to return peace and stability to the country, President Bouteflika was overwhelmingly re-elected on April 8, 2004 for a second, five-year mandate. The 2004 elections were praised by the international community, both for some important changes to the electoral law that helped to increase their transparency, and for the military leadership's repeated public declarations of its neutrality in the months leading up to the poll. While these elections did represent a big step forward from the 1999 polls, it should be noted, however, that the President's extensive distribution of state resources and monopolization of state media in the months prior to the elections gave him a tremendous advantage over his opponents, and credible allegations of manipulation of the justice system and administrative interference by the president's campaign were reported by several rival candidates both before and after the April 8 poll.

Since his re-election, President Bouteflika has made some important changes in the army command. He has also recently consolidated his power as the head of the "Presidential Alliance," a coalition of the three ruling parties, the FLN, RND, and MSP, which together control over 280 of the 389 seats in parliament and have pledged to support Bouteflika's program. Possessing a degree of political legitimacy not shared by any Algerian president since the late Houari Boumediene, Bouteflika has thereby strengthened his hand vis a vis the military hierarchy and positioned himself as the main arbiter between competing interest groups and political visions.

Bouteflika's program for this second mandate is one of "national reconciliation," which is loosely defined as putting an end to the remaining terrorist activity and "reconciling Algerians with themselves and with their state."

Stamping out the remaining violence is not simply a question of taking the remaining Islamist terrorists out of commission, however. For this to be real and enduring, it must also mean: 1) transferring genuine authority to the civilian institutions of government—and by this I mean not only the executive, but also the legislative and judicial branches, 2) providing effective political representation for the population via vibrant political parties and civil society organizations and transparent elections, and 3) enacting and enforcing the battery of reforms necessary to establish the rule of law in Algeria.

In order to advance along the path of democratic transition, there are some important barriers to political freedoms in Algeria that must be lifted. In particular, NDI recommends:

1. *Apply guarantees of freedom of assembly and association guaranteed by the 1996 Constitution*—Today, the main provisions of the Emergency law imposed in 1992 that authorize special measures in the fight against terrorism, including nighttime curfews, are no longer being utilized. However, thus far the Bouteflika administration has insisted upon maintaining it in place, and this despite the fact that senior army officials have said that this is no longer necessary. The Emergency Law constitutes an important barrier to the freedoms of association and assembly by requiring political parties and NGOs (including NDI, by the way), to get permission from Interior Ministry offi-

cials to hold public gatherings—permission which is not automatically granted, especially to opposition groups. Linked to the state of emergency is a 2001 law banning all marches and outdoor rallies in Algiers. NDI is working with a civic organization that is advocating for the repeal of the Emergency law through press conferences and a petition campaign, as well as with a political party that introduced legislation in parliament in this sense in 2003. These activists need international support.

2. *Improve the transparency of the Electoral System through further reform*—While 2004 saw some important changes to the electoral law, including provisions that the army no longer votes in its barracks and that political party representatives receive official copies of the vote protocols at every stage of the vote counting and tabulation process, there are still some important reforms to be undertaken to bring Algeria's electoral system into harmony with international standards. NDI supported the MPs that introduced and built support for amendments to the electoral system in 2003, and also trained party pollwatchers for the 2004 elections. To improve the transparency of future elections, NDI recommends that: 1) the Algerian government establish a permanent, independent electoral commission to take electoral administration out of the hands of the executive branch; 2) the Algerian government request that this electoral commission undertake a comprehensive revision of the current electoral roster and create a new, centralized list, which should be made available to all political parties on request; and 3) the Algerian government provide a provision for, and encourage the development of, independent, non-partisan election monitoring organizations that can assist political parties and the media to monitor the entire electoral process, and not just election day. It would be worthwhile for the US Government to take these recommendations up with the Algerian authorities well in advance of the 2007 legislative and local elections.
3. *Ensure the separation of powers by building further checks and balances into the system*—For Algeria to make the transition to a state where the rule of law prevails, there are some important reforms to be undertaken. These include: 1) encouraging and assisting the parliament to assume more active legislative and executive oversight roles; 2) reinforcing the independence of the judicial system through legislative reform and the training of magistrates; and 3) improving the transparency of the executive branch through adopting an Algerian version of the Freedom of Information Act.
4. *Protect press freedoms already achieved and enhance freedom of expression by opening up the country's audiovisual media*—Algeria's private print media are among the most critical and best established in the region. The same cannot be said, however, for the state-run audiovisual media. Opposition parties and independent candidates currently have access to the national television and radio stations during the three week electoral campaign period, but are then rarely seen or heard from again on the airwaves until the next election. The Algerian Radio, while state-run, has made some important progress in opening up to non-regime voices via talk shows on taboo social issues featuring both governmental and civic actors, daily interviews with national officials, and local radio call-in programs that permit citizens to speak directly with their municipal councilors. The Algerian TV too should make more of an effort to move in this direction. In preparation for this day, NDI is working to assist advocacy groups and women political leaders in communications skills, including interviewing techniques for audiovisual media.

CONCLUSION

Algeria has undoubtedly come a long way since the 1990s. Yet the country still has a long way to go before becoming a democratic state where rule of law, rather than an arbitrary informal system, prevails. The international community should praise Algeria where praise is due, while at the same time insisting on further reform and opening in the areas described above. A combination of diplomatic encouragement and pressure, together with increased support of the work of both international and local NGOs working to assist Algerian political activists, civic actors and journalists will be a critical element of this reform process. If Algeria chooses to move forward with the development of democratic institutions it could gain the twin distinctions of overcoming terrorist violence and joining the ranks of Arab and African countries that are truly willing to democratize.

Mr. ROYCE. Thank you, Mr. Campbell.

Dr. Ullman.

**STATEMENT OF HARLAN K. ULLMAN, PH.D., SENIOR ADVISOR,
CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES**

Mr. ULLMAN. Mr. Chairman, distinguished Members, fellow Americans, your invitation is an honor and a privilege and I am delighted to be here.

The specific topic, of course, is Algeria and the civil war, so I would ask your indulgence for a moment if I could just address the broader context since I believe without an understanding of the broader context it seems to me that we will never win the global war on terror.

As some of you may know, I plead guilty to having been the creator of the term and strategy "shock and awe." And I want to apply a little shock and awe to you today.

In my judgment, the United States is in greater danger than at any time since the Civil War, a statement so provocative I will repeat it. In my judgment, the United States is in greater danger than at any time in its history since the Civil War.

My book that you were kind enough to mention makes the arguments to that end. But the danger rests on three foundations:

First, we as Americans and you as our elected Representatives, in my judgment, do not fully understand the nature and extent of the real danger and our vulnerability to it; second, we are not organized yet to deal with it; and third, we have not crafted a global response. Let me just spend a moment on those points if I may.

The danger is not terror. It is not the global war on terror. Terror is a tactic. It is a tool. These are dangerous people. The danger, in my judgment, is the political ambitions of people who are out to seize power, to establish some kind of regime in the greater Middle East with access to Saudi oil, Iraqi oil, and Pakistani nuclear weapons. That constitutes the real danger, which is not going to happen tomorrow or next year. But if we are not careful it will.

For those of you who think I am coming from cloud cuckoo land, 100 years ago if you were having hearings on Lenin and the Bolsheviks, you would probably never have guessed that he would have seized Russia and turned it into the Soviet Union. Or 80 years ago that Hitler and his brown shirts would have turned Germany into the Third Reich.

The second part of this problem is our vulnerability. The terrorist enemy is out to disrupt us. During the Cold War, the problem was massive destruction and thermonuclear war which would have evaporated us as a society. Today the issue is disruption of our society, and Osama bin Laden fully understands that.

A tiny anecdote is that we will forever be taking our shoes off in airports. But the fact of the matter is disruption is what the enemy is out to achieve. And if they were able to establish this regime, imagine what they could do with a spigot to the oil and nuclear weapons to keep us out.

The second point I would make about organization, despite the changes in the law, despite the things that we have done, they are not sufficient. I would just say very provocatively, many of our institutions need reform. I believe Congress does, but I rather doubt it is going to happen.

And third, we do not have a strategic response. After the Cold War started, we fashioned the Marshall Plan, we fashioned NATO, we fashioned containment and deterrence. Now we have a war in Iraq, a war in Afghanistan, a war on terror.

I outline in my recommendations in the paper, Mr. Chairman, also in my book, some of the things we need to do.

Mr. ROYCE. Just so we know, we have all got the copies and we read them the night before.

Mr. ULLMAN. I understand that, sir.

Let me make six points about Algeria that I think are very important.

First, all of these contexts have deep, deep historical roots. We as Americans tend to be very ignorant about those historical roots, and we need to do something about that.

Second, the same thing is true with our cultural understanding or lack of understanding. Iraq is probably the best example of how we fail to understand, culturally.

Third, our assessments, quite frankly, stink. If you go back from 1992 and look where we thought things were going to be in Algeria, there was no way the situation was going to get better, and last year the International Crisis Group, for whom I have a lot of respect, said this is the worst case study about how you can impose any kind of a clamp-down on an insurgency.

Fourth, we tend to be almost promiscuous in how we classify terrorists. I will just say, in light of my earlier comments, that many of the Salafists, many of the terrorist organizations do not have the same ambitions in terms of what the real enemy does. Yes, they are a serious problem. Yes, they are out to do damage. But we have to understand that they are fundamentally different on the real problem.

Fifth, the issue of human rights is an impossible conundrum. The best advice, if I may offer it, really rests on how we dealt with China and the Soviet Union. On the one hand, we have to push human rights but we do not have to push them so far that we do disastrous things. I think that balance that we used during the Cold War is probably, despite all the understandable pressure for human rights, it is very important.

Sixth, and I must disclose that I do sit on the Strategic Advisory Group of European Command, and advise regularly the senior commanders of NATO here in New York. What European Command, and I know, Mr. Chairman, you recently visited them, you are familiar with General Wald and General Jones, that is the best test case study in my view about how to deal with these issues, not just in Algeria but in Africa.

I really urge the Full Committee and staff to get a better view of what EUCOM is trying to do because it goes more broadly than just rendering al Parah to justice, but how they have approached this with minimum numbers of forces has been extremely, extremely good, and it has been very difficult to get a hearing back here in Washington about that.

I commend you for holding these hearings. My only plea is to realize, if you accept my argument, we have much broader problems than the global war on terror. We have to understand what danger is. We need to understand we are not yet organized to deal with

it, and most importantly, we have to construct, in my judgment, a genuine strategic global response. Thank you.

[The prepared statement of Mr. Ullman follows:]

PREPARED STATEMENT OF HARLAN K. ULLMAN, PH.D., SENIOR ADVISOR, CENTER FOR STRATEGIC AND INTERNATIONAL STUDIES

Mr. Chairman, Distinguished Members and Fellow Americans

It is a privilege and a duty to appear before you today. While the specific topic is Algeria, its Civil War and what lessons should be learned and applied from it to improve America's ability to deal with the juncture of insurgency, terror and terrorism, I ask your indulgence to provide both a broader context and set of solutions to these questions and matters of extreme urgency and importance to the nation and its safety and security. From those, specific observations and findings from the Algerian wars will be offered.

As some of you may know, for better or worse, I plead guilty to having been the inventor of the term and strategy of "shock and awe." And today, to begin these remarks, I propose to do a little "shocking and awing." *In my judgment, the United States is in greater danger than at any time since the Civil War.*

That statement is perhaps so provocative, let me repeat it. *In my judgment, the United States is in greater danger than at any time since the Civil War.* The arguments are set forth in my latest book *Finishing Business—Ten Steps to Defeat Global Terror* published by the Naval Institute Press and is the sequel to *Unfinished Business—Afghanistan, the Middle East and Beyond: Diffusing the Dangers that Threaten America's Security*. *Finishing Business* was honored with a foreword by former Speaker of this body Newt Gingrich and an afterword by General Wesley Clark and *Unfinished Business* carried a foreword from John McCain of the "other house."

The danger rests on three foundations: First, in my view, Americans and their elected leaders do not understand the nature and extent of the threat and of our vulnerability to it. Second, we are not organized to deal with this danger. Third, we have not put in place a global response or strategy for making us and our friends safer and more secure. The case of Algeria is a microcosm of this profoundly more complicated and challenging condition and yields a few insights.

To put this all into a sound bite with the risk of oversimplification, this is the heart of the matter. While we say we are in a "global war on terror," the fact is that we are not on two counts. True, we are spending huge amounts of money and sending our military, intelligence and diplomatic forces into harms' way. However, this is not a war in the sense that the nation has mobilized or taken the steps that generally occur when we are at war. But more importantly, we fail to understand that this is not a war against terror per se. Terror is a tool and tactic. It is a symptom. But terror does not have a strategic center of gravity that can be found and beaten by military force alone.

The danger is a political movement, cloaked in a perverted and radicalized version of Islam, bent on establishing a regime or regimes in the greater Middle East controlling Saudi and probably Iraqi oil and Pakistani nuclear weapons. These regimes could be as bad or worse than the Taliban. And there are some 1.3 billion Muslims who could be proselytized—of which if only .1% succumbed would constitute a force the size of the American military. Unless we understand the larger ambitions of those who we simply call terrorists or members of al Qaeda, we can never be assured of "winning" unless the enemy decides to quit or disappear.

For those of you who are incredulous or skeptical, if the House had held hearings 100 years ago on Lenin and the Bolsheviks, I doubt anyone would have predicted they would take over Russia and create the Soviet Union and three quarters of a century of struggle. Nor following World War I would many have believed an unemployed former corporal in the Kaiser's army named Adolph Hitler and his brown shirted thugs would turn Germany into the Nazi's Third Reich.

I am not predicting that our enemies who use terror as a highly effective tool will form a regime and control oil and nuclear weapons. And if they do, that will not happen tomorrow or even this decade perhaps. However, if we are not prepared to recognize these ambitions and larger goals, then we are ignoring Sun Tzu and the most basic principle of war in failing to know and understand the enemy.

At the same time, the strategic danger has shifted from an era of mass destruction to mass disruption. These distinctions are vital. Thermonuclear war between East and West would have ended society as we knew it. Hence mass destruction was the strategic paradigm. Today, while chemical, biological and radiological weapons are terrifying, baring manufacture of the "mother of all microbes," the prover-

bial germ that could end us all, these agents will never approach the same level of threat to society as did thermonuclear weapons.

After the collapse of the Twin Towers, Osama bin Laden fully realized that the way to influence and manipulate his adversaries was to exploit them through disruption. Forever, we will be taking shoes off in airports—a tiny consequence. And virtually all societies, from the South Asian states ravaged by the Tsunami to Iraq, are vulnerable to disruption by nature or by man. One example drives these observations home:

Suppose that one individual, having gone through the guard posts and metal detectors stood up in this Hearing Room and, waving a can of what looked like hair spray, shouted anthrax. What would be the result even if the can turned out to be hair spray? Osama fully appreciates that the disruption he seeks to impose is aimed at achieving both economic and psychological damage through the threat and use of terror as means to hurt and to influence Americans. Diabolically and inadvertently, al Qaeda and others are exploiting the openness and pluralism of our system as highly vulnerable points from which to exercise great leverage and inflict as much pain for political reasons as possible. And, the more we impose safeguards for our security, the more we abut on constitutional rights and liberties, a further potential dividend for the enemies of freedom and democracy.

Second, we are not organized yet as a nation or a government to deal with the threat and the danger of disruption. Creation of a Homeland Security Department and a new National Intelligence Director, no matter how capable our people who work in these areas are, has not resolved the fundamental challenge of divided authority, accountability and responsibility. Indeed, Congress is one place as I am sure you all agree needs major reform and almost certainly will not get it.

Finally, there is no Marshall Plan, no new equivalent of NATO, the North Atlantic Treaty Organization, no policy of containment or strategy of deterrence. There is however a “war” on terror, and there was a war in Afghanistan and Iraq. But these are not a coherent plan. Indeed, one would hope that Congress would investigate how integrated, coordinated and effective has been our collective response to September 11th despite the hundreds of billions and probably trillions of dollars that have been spent.

Now against this somber assessment, what about Algeria? Of the many lessons, several strike me as more important and relevant. First, every war has deep roots and antecedents. The 1954–1962 revolution to throw out the French produced the FLN that contained many Islamic elements with radical preferences. These in turn led to the FIS (Front Islamique du salut) that in turn led to the GSPC (Salafist Group for Preaching and Combat) and the GIA. We fail repeatedly to understand the history that is always at work and Iraq is the best or worst example.

Second, we remain culturally tone deaf. During the civil war in Algeria, the United States was aloof. Very few understood the war and how it was being waged by both insurgents and government forces; nor did we appreciate the power of culture in shaping the conflict.

Third, our predictions about the outcome were largely erroneous. When the Algerian army reversed the 1992 elections, we took little notice and going back and reading headlines, the notion was that the situation in Algeria seemed hopeless. And even today, now that the Civil War appears to be under control, the International Crisis Group as recent as last fall reported that “Algeria has been a case study in how not to deal with Islamist activism,” referring to the some 150,000 or more people killed and the methods employed by the government in hunting down and killing the enemy. The question then is how to assess possible outcomes with greater clarity and understanding as far in advance as possible?

Fourth, while there may be links with al Qaeda, Salafist-inspired terrorists do not share the same ambitions and while their use of terror is supportive and helpful to al Qaeda, it is an entirely different phenomenon and must be understood as such. In other words, the aims of al Qaeda and like organizations are as described above and what worked in Algeria should be viewed as only likely to bring similar results elsewhere by coincidence or luck.

Finally, Algeria shows that there are no easy ways of reconciling the contradiction between imposing stability and maintaining human rights and civil liberties as least in keeping with American expectations. In most societies where violence or conditions of unrest permeate, almost invariably, the two can only be achieved sequentially not concurrently. This is indeed the great paradox in Iraq.

So, what should we and you as our elected representatives be doing? First, I would hope you would express a sense of outrage. I respectfully challenge each of you to tell me and your constituents how well or badly we are doing in the war on terror and how well or badly government has responded. It may well be that a system of government put in place by the best minds of the 18th century on the basis

of balance of powers and divided government may be doing the best it can. I hope not. But, for example, why have we consistently failed to understand our enemy, the cultures in which we have intervened and why of the \$18.7 you appropriated in October 2003 on an emergency basis for the reconstruction of Iraq, why so little was spent on that purpose?

To take this challenge further, look at Iraq. What is our strategy there? How well or poorly do we understand the insurgency in Iraq and appreciate that numerically, the largest number of Sunni insurgents probably comes for the surviving members of the 40,000-man strong Saddam Fedayeen who fought so effectively during the short war in 2003 and not foreign fighters who are probably relatively few and far between? Despite hearings, how satisfied are you with the information, testimony and analysis provided by the administration? How much more are you prepared to appropriate—as much as it takes or limited by some explainable factors? And what do you make of the administration's latest statement that the war in Iraq has probably slowed down the war on terror by adding more recruits to the other side than have been eliminated?

Then, what should be done if any one is listening and wishes to hear a few different ideas about to make the nation safer.

The stunning reality is that today the United States may be in greater danger than at anytime since the Civil War. The reasons combine a devil's brew of an enemy, empowered by a perverted interpretation of a great religion and a potential base of 1.3 billion souls to proselytize; failure of Americans and their government to appreciate the nature and the extent of this danger; the inherent vulnerability of society to disruption; the failure to organize to meet this challenge; and the failure so far to create a global response to overcome and eliminate the reasons for and groups and individuals who pose this threat.

To that end, Ten Steps are essential if we are ever to be safer and more secure:

1. *Americans must recognize the extent and nature of the danger starting with understanding that the phrase "global war on terror" mischaracterizes the threat, implies an aim of winning that is simply not achievable and has us focus on the symptoms rather than the causes that give rise to our enemies. Instead, we must understand that the challenge is a profoundly dangerous and complex political struggle against "Jihadist extremism"¹ and particularly those individuals who have captured and perverted a respected religion for political and revolutionary purposes and who use terror as a tool and a tactic to grab power and establish a regime for perpetuating their rule.*
2. *Americans must recognize that the extent of the real danger posed by jihadist extremism is political in which terror is not an end in itself; which inadvertently turns the strengths and openness of our own political system against us; and holds ambitions not significantly different from those of Lenin and the Bolsheviks a hundred years ago or Hitler and the National Socialist Party eighty years ago, namely to establish a radical regime or regimes with control of Saudi and possibly Iraqi oil and Pakistani nuclear weapons and with the broader intent of spreading their radical empire globally.*
3. *Americans must understand that the danger posed by jihadist extremism is not the massive destruction of society through thermonuclear war although a chemical, biological and nuclear attack could be devastating. The new danger is one of massive disruption through real or threatened terrorist attacks aimed at dislocating and disrupting our lives, doing great harm to our economies and our perceptions of safety and security and in causing us to overreact in ways that advance the enemies' agenda by imposing penalties on our freedom and individual liberties.*
4. *Americans must recognize that the current state of American governance is not up to the task of keeping the nation safe.* In part due to the profoundly negative partisan nature of politics today, we will fail in the task of keeping America safe, secure and prosperous, unless our government fundamentally changes its priorities, policies and organization. That the Department of Homeland Security is still not functioning as it must is an example of these challenges and the creation of a National Intelligence Director will take time before it has impact.

¹The term Jihadist Extremism is used as opposed to radical or fundamentalist Islamic to separate and differentiate these individuals from a religion and as a means to delegitimize any such association.

5. *To prevail, we must overhaul both our attitudes and machinery for securing the safety of the nation.* To that end, the White House and Congress must be made to work more closely through major reform in organization and in enacting new laws that move national security from its orientation in the Cold War and the last century to the challenges and demands of the 21st century.
6. *To remove some of the dysfunctional aspects of government, disciplines for Congress and the Executive Branch must be instituted to ensure that the governing process is improved.* A proposed "Sarbanes-Oxley" law, passed in the wake of the corporate scandals to hold corporations, executives and accounting firms responsible, must be adopted for both the Executive and Legislative branches of government. Government must be held accountable if the nation is to be kept safe and secure against these dangers. For example, responsible officials in the Executive Branch should certify that figures submitted to Congress in proposed legislation or reports are accurate as corporate CEO's must. If there is a discrepancy say as large as in the Prescription Drug Bill in which costs or expenses are misestimated by 50 or 100% or more, then there should be provisions for amending or nulling that legislation. Similarly, all members of Congress before voting on legislation should certify that they have read and understand the bill on which they are acting.
7. *Fundamental changes in law enforcement and intelligence and in safeguards to protect individual liberties must be implemented at a time when security requires greater government imposition and intrusion on our rights.*
8. *America does not need a system for defense in the narrow sense but, more broadly, a system for ensuring national security.* That means defense is a subset of security with obvious implications for how we organize, train, equip, prepare and educate our people for this task.
9. *In prevailing, we must adopt comprehensive and not narrow solutions to the major problems facing us.* That means we must move to resolve the profoundly difficult conflicts between the Israelis and the Palestinians and between Indian and Pakistan. This will require a global solution, with Arab recognition of Israel, and Israeli recognition and acceptance of a legitimate and viable Palestinian state. A modified Marshall Plan for the region, with full international support is essential abroad as well.
10. *We must expand regional security arrangements more broadly. NATO is our first and most important relationship.* It must be transformed in keeping with the commitments already made at the Prague Summit in November 2002. New relationships must be created. To that end, a conference, such as the Conference on Cooperation and Security in Europe (CSCE) of the 1970s, regarding nuclear proliferation and elimination of nuclear weapons, along with the possibility of use, will be created among all known and suspected nuclear powers. Korea will be the first test case in showing how the nuclear genie can be returned to its bottle permanently.

Current events in the Greater Middle East have created an opportunity for us to help move that region towards peace and stability. If we do not seize this opportunity and indeed use it as the means to rectify some of the liabilities and dangers noted above, it may be a very long time before another one arises.

Mr. ROYCE. Thank you, Dr. Ullman. Just to let you know, we are looking at that issue next week at a hearing.

Mr. ULLMAN. Good.

Mr. ROYCE. So it was a timely comment as far as I am concerned.
Mr. Malinowski.

**STATEMENT OF MR. TOM MALINOWSKI, WASHINGTON
ADVOCACY DIRECTOR, HUMAN RIGHTS WATCH**

Mr. MALINOWSKI. Thank you, Mr. Chairman, and thanks for inviting me once again to talk about one of these important issues. I will just say a few words about the human rights situation as it fits into this larger context, and maybe before I get into Algeria specifically, let me just sort of say a few words about the relation-

ship that I see between protecting human rights and democratic freedoms and fighting terrorism.

Everything that I would have to say about Algeria rests on the belief that the human rights issue actually is not a conundrum. It is not the word that I would use because I do not think there is really a trade-off here in the fundamental sense.

Terrorism is obviously a threat to democratic values, but terrorists are often the first to benefit when governments fail to uphold those values. It is precisely in societies where ordinary people have no peaceful avenues for expressing their grievances that violent movements tend to thrive.

When governments abolish free expression, when they shut down political parties, when they punish peaceful dissent, they do not hurt those who use violence to achieve their aims, they hurt the very moderate democratic political movements that need these freedoms to survive, the very movements that are the counter-weights to the violent extremist groups in these societies.

When people in such societies see the United States associated with the governments that abuse their rights and freedoms, this obviously helps terrorist groups like al-Qaeda and others to paint America as the enemy of the people of the Muslim world. It helps them in their struggle for hearts and minds, which is fundamentally what this political struggle with terrorism is about.

So I welcome very much the Bush Administration's recognition that the fight against terror has to rest in part on the promotion of democratic freedoms and rights. We do not need to—we cannot go back to the pre-9/11 policy of just ignoring these issues in this part of the world. But that recognition has to be translated into policies.

I think Algeria is a good test of that. We have all said, and you have said, the Administration has said that we can learn some lessons from Algeria's experience. I think these are mostly cautionary lessons.

Algerians obviously have suffered the ravages of terrorism, but I think Algeria with its record of torture and disappearances is in many ways a model of how not to fight terrorism.

As you noted, Mr. Chairman, this whole crisis began when the army halted the elections in 1992. There had been isolated acts of terror in Algeria before then, but they became endemic only after democracy was interrupted, and the price we all know: Over 100,000 people killed by vicious militant groups and by security forces. Thousands of people arrested and tortured by Government forces. Over 7,000 Algerians disappeared, vanished without a trace. Their families do not know where they are.

So I would say this is not exactly a happy or successful experiment in fighting terrorism. And if there is a lesson of Algeria over the last dozen years or so, it is that democracy, for all of its inherent instability and messiness, is, I think, less messy than its alternatives; that suppressed dissent can be far more dangerous at times than expressed dissent.

Now thankfully the violence has declined. The human rights picture has improved, as others have testified. People are not being disappeared in Algeria today. Torture has declined. Human rights organizations can function. There are public gatherings and rallies.

There is an independent print media that is very, very vigorous. But there is still this heavy legacy of repression that clouds the prospects for democracy. There is still a state of emergency. The judiciary is not independent. Journalists still face harassment. Women still do not enjoy full legal rights, which is ironic since one of the excuses for keeping the Islamists from power in 1992, one of the most persuasive excuses was the expected repression of women under an Islamist regime.

But I think with all of that backdrop, perhaps the most difficult issue that Algeria faces, and one that we should not ignore either as we engage with them, is how to deal with the legacy of that really brutal and violent past.

There is a lot of talk in Algeria today about an amnesty. President Bouteflika has already proposed a general amnesty for militant groups. He had suggested the possibility of an even broader amnesty that would also cover security force members that have been accused of terrible crimes.

Now, obviously there is a lot of healing that needs to go on in Algeria after all of this horrible brutality on both sides, and some degree of forgiveness has got to be part of that, but I think we need to be very, very cautious in the way that we advise Algeria in its dealings with these issues.

There are thousands and thousands of families in Algeria who have lost loved ones. Some of them hold out hope that their family members may still be alive. Most just want to get answers. There have been commissions. There have been judicial proceedings. They have resulted in absolutely zero information about the more than 7,000 people who have disappeared, and this obviously builds a great deal of resentment.

It is not just a moral issue. It is a stability issue because people walk around full of anger that militants are getting away with their crimes and that security forces are also potentially going to get away with the crimes that they have committed.

The bottom line I think in these post-conflict situations is that amnesty does not bring amnesia. There are scars, there are resentments that are brought about by past violence. They will remain under the surface. And while it is true that reopening the past can stir up passions, the risks of denying and ignoring it can be even greater. When crimes like this are forgotten, I think they are destined sometimes to be repeated.

So this is one issue when we engage with the Algerians that I would hope that the United States would raise. I agree with Mr. Craner and other members of the panel that we can raise such issues, and the other democracy and human rights issues while continuing to engage with Algeria on security and terrorism. In fact, I think we have to do both at the same time for the sake of both morality and stability.

Thank you.

[The prepared statement of Mr. Malinowski follows:]

PREPARED STATEMENT OF MR. TOM MALINOWSKI, WASHINGTON ADVOCACY DIRECTOR,
HUMAN RIGHTS WATCH

Mr. Chairman, members of the Committee, thank you for your invitation to testify on Algeria's human rights record and the fight against terror.

Others on this panel will discuss the most recent elections in Algeria and the extent of political pluralism there. I will address a concerns about the human rights situation: about the pattern of unsolved “disappearances” carried out both by the security forces as and by armed groups fighting the government, the torture of suspects under interrogation, restrictions on press freedom, discrimination against women under the law, and a judiciary that lacks independence. Finally, I will explain our concerns about a possible general amnesty that would ratify the impunity enjoyed both by state agents and many armed militants for atrocities that, in some instances, rise to the level of crimes against humanity.

But first, let me say a few more general words about the relationship between protecting human rights and democratic freedoms and fighting terrorism. Everything I will say about Algeria today rests on the conviction that there is not a trade off between these two goals. Terrorism is obviously a threat to liberty, to the law and to the human rights values we hold dear. But terrorists are often the first to benefit when governments fail to uphold those values. It is precisely in societies where ordinary people have no peaceful avenues for expressing their grievances that violent movements tend to thrive. When governments abolish free expression, shut down political parties, and punish peaceful dissent, they don’t hurt those who use violence to advance their aims. They hurt the moderate, democratic, political movements that need these freedoms to survive—the very forces that can be a counterweight to violent extremist groups. And when people in such societies associate the United States with the governments that abuse their rights, this helps terrorist groups like al Qaeda to paint America as the enemy of the people of the Muslim world. It aids them in their struggle for hearts and minds.

This is why I welcome the Bush administration’s recognition that the fight against terror must rest in part on the promotion of democratic freedoms and human rights. But that recognition must be translated into consistent policies. And Algeria is an important test case.

Since the events of September 11, 2001, several U.S. officials have visited Algeria and commended that country’s response to armed insurgents. Assistant Secretary of State William Burns, for instance, said in December 2002 that Washington “has much to learn from Algeria on ways to fight terrorism.” Algerians have suffered the ravages of terrorism as much as any people on earth, and those acts deserve our full condemnation. Nevertheless, in human rights terms, Algeria, with its documented record of torture and “disappearances,” is in many ways a model of how *not* to fight terrorism.

In January 1992, an army-backed coup in Algeria halted national elections that would have given the Islamist Salvation Front a commanding majority in parliament. Isolated acts of terror had occurred before then in Algeria, but they became endemic *after* the electoral process was interrupted.

Estimates of the number of Algerians killed in political violence since 1992 range between 100,000 and 200,000. President Abdelaziz Bouteflika was quoted on February 23 as putting the figure at 150,000. In fact, there are no precise data on the number of those killed, or the breakdown of civilians, security force members, and armed militants among the victims, or the proportion of the killings attributable on the one hand to armed groups and on the other hand to the security forces and their civilian allies.

Civilians have born the brunt of the violence, from the scores of journalists, intellectuals, and cultural and political figures who were targeted for assassination in the cities, to the thousands of ordinary villagers who were victims of indiscriminate massacres both in remote areas and at the outskirts of Algiers. In addition, many women were kidnapped and raped by members of armed groups. Authorship of these attacks was rarely established; the various armed groups almost never claimed responsibility for specific operations; and authorities rarely conducted investigations worthy of the name or brought the suspected perpetrators to justice.

In the name of combating the insurgency, security forces arrested and tortured thousands of suspects. They engaged in summary executions, often rounding up victims arbitrarily in reprisal for attacks on their own troops. And between 1993 and 1997, they picked up and made “disappear” an estimated 7,000 Algerians who remain unaccounted for until this day.

Over the last five years, there has been a significant decline in political violence. But Algeria still confronts a heavy legacy of repression that weighs heavily on the country and clouds the prospects for lasting reform and genuine democratization.

I should note that our assessment of conditions on the ground is limited somewhat by the inability of Human Rights Watch and other international human rights organizations to gain regular access to Algeria. In contrast to Tunisia and Morocco, Algeria requires entry visas for citizens of the U.S. and most European countries, and grants them sparingly when the applicant seeks to visit on behalf of a rights

group. On February 22, authorities at Algiers airport prevented entry by a delegation representing three organizations, the International Federation of Human Rights, the Euro-Mediterranean Human Rights Network, and the Cairo Institute of Human Rights Studies. The U.N. Working Group on Enforced and Involuntary Disappearances has been waiting nearly five years for approval of its request for a visit. The U.N. Special Rapporteur on Torture and the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions are also waiting for authorization to conduct visits. Human Rights Watch, I am pleased to note, has just learned of the approval of its request for a research mission, after a wait of more than two years, and we look forward to conducting a visit in coming weeks.

TORTURE, FREEDOM OF ASSOCIATION, PRESS FREEDOM

The human rights picture has improved overall since those worst years of violence. There are fewer security-related arrests and with it fewer reports of torture, although those who are arrested continue to be at risk of torture or ill-treatment. People are no longer being subject to “disappearances.” The security forces have killed unarmed persons in disputed circumstances, but reports of summary executions are no longer commonplace. However, this progress will remain fragile and reversible, in our view, until the Algerian judiciary can guarantee trials that are fair and impartial, and a culture in which perpetrators of massive abuses get away with their crimes is ended.

In October 2004, Algeria’s parliament took the positive step of amending the penal code to criminalize acts of torture. We remain concerned that the amendment fell short of international standards by failing to criminalize cruel, inhuman and degrading treatment or punishment, and by failing to refer to the consent or acquiescence to torture or cruel, inhuman or degrading treatment or punishment by a public official or other person acting in an official capacity.

In January Algerian authorities stated, “With the policy of civil concord which had accelerated the normalization of the security situation, terrorism—on the decline—today no longer constituted a serious threat to the country’s institutions and people.” Despite this claim, the government has refused so far to cancel the state of emergency that is now in its fourteen year. That law abridges certain rights, by making it easier for authorities to ban public meetings and rallies when the agenda displeases them, and by empowering the ministry of interior to intern people without charge, a provision that it used heavily at the beginning against suspected Islamists, but not in recent years. The U.S., in its advocacy of the rule of law, should urge the lifting of this law of exception.

Despite the state of emergency, public gatherings and rallies by civil society groups and political parties are tolerated in many instances, though not always. Human rights organizations are allowed to operate, with certain impediments, including a restrictive law on associations. The government has made an effort to address grievances of the Kabyle, or Berber, population, following disturbances in 2001 in which over 100 persons were killed, most of them by police gunfire.

While the radio and particularly television remain under tight state control, the independent print media are outspoken and often quite critical of the government. Their situation remains precarious, however. The press law and penal code provide prison sentences for the offense of libel, and the placement of public-sector advertising provides a means to reward—or squeeze—newspapers. The situation for the press has actually deteriorated since President Bouteflika’s reelection last April. In June, one of the president’s harshest critics, *Le Matin* daily managing editor Mohamed Benchicou, began serving a two-year prison term after a politically motivated prosecution on currency law violations. Hafnaoui Ghoul, a journalist for *el-Youm* daily and a member of the Algerian League for the Defense of Human Rights (LADDH), spent half of 2004 in prison on defamation charges related to articles alleging corruption and mismanagement by local officials in his native region of Djelfa. These cases are a disturbing development in a country where journalists are often questioned and brought to trial but rarely put behind bars.

The United States government, and notably Ambassador Richard Erdman, have made the cause of press freedom one of their human rights priorities in Algeria. In light of the recent pressures on journalists, more can be done. The U.S. should be making clear, for example, that a press law which provides prison sentences for libel is incompatible with international standards of free expression.

AMNESTY AND ACCOUNTABILITY

With the decline in political violence, President Abdelaziz Bouteflika has pursued a “national reconciliation” agenda. In 1999 he won adoption of a “Civil Harmony” law that offered immunity from prosecution for militants who surrendered and who

had not themselves committed killings or bombings or other serious crimes. The law also significantly reduced sentences for surrendering militants who acknowledged responsibility “for causing death or permanent injury of a person or for rape, or for using explosives in public places or in places frequented by the public.” Government-controlled committees were supposed to examine each case and decide whether the amnesty-seeker should be eligible for exemption from prosecution or a reduced sentence. In practice, these committees operated with no transparency and largely exonerated the applicants without checking their records. In January 2000 President Bouteflika announced what was in effect a blanket amnesty to all members of two armed groups that had been observing a cease-fire, regardless of the crimes they may have committed.

As the next phase of “national reconciliation,” President Bouteflika on November 1, 2004 evoked the prospect of a general amnesty, and pledged to submit it to public approval. Since then the government has been preparing public opinion for an amnesty law that reportedly will be presented to parliament this spring. Although the details have not been disclosed, there is every expectation that it will broaden the clemency for armed militants and, for the first time, also cover crimes committed by security force members.

Human Rights Watch supports the efforts of Algerians to heal the wounds of a decade of horrific violence, and believes that acts of clemency can serve this cause. However, President Bouteflika’s “national reconciliation” initiatives, unlike post-conflict mechanisms in other countries, have thus far included no mechanisms for uncovering the truth of what happened and insuring justice for the worst crimes against human rights. This dangerous and potentially destabilizing trend would be furthered by a general amnesty law, unless it provided for credible investigations into past atrocities and excluded the worst offenders from its terms.

The handling of the issue of “disappearances” is a case in point. Largely due to the steadfastness of the families of the “disappeared,” many of whom cling to the hope that their loved ones are still alive, this issue finally began receiving international and national press attention in 1997. The Algerian public and press became sensitized to their plight as it became clear that the victims included large numbers of persons who were unconnected to the violence and that, in any event, none of the “disappeared” had been afforded their day in court before vanishing.

Over the years, hundreds of families of the “disappeared” filed complaints in court alleging the illegal arrest of their relatives. Many of them provided the names of eyewitnesses willing to testify. But in a reflection of the sorry state of the Algerian justice system, not a single case resulted in identifying the whereabouts of a “disappeared” person or in the filing of charges against a police agent responsible for a “disappearance.”

Government officials have acknowledged the problem of “disappearances” and established a succession of agencies to receive the families and investigate the fate of their missing relatives. None of these has delivered the slightest bit of verifiable information to the families. The latest official agency formed to address the problem, the Ad Hoc Mechanism on “Disappearances,” has perpetuated this injustice. Meanwhile, the head of the mechanism, Moustapha Farouk Ksentini, has insisted repeatedly that these thousands of abductions were the acts of individual state agents rather than of state institutions. This conclusion is convenient for the state but is put forward without any investigation having been conducted to establish the facts. We hope that the mechanism will address the issue in a more serious manner when submitting its final recommendations at the end of this month to President Bouteflika.

Relatives of the “disappeared” have differing views on whether to accept the financial compensation that will likely be offered to them by the government, and on the extent to which perpetrators of “disappearances” should be held criminally accountable for their deeds. But they share an indignation at the government’s failure to provide them with specific information on the fate of their loved ones, a failure that, they fear, will be ratified by the government’s efforts to “turn the page” in 2005 through a general amnesty and other measures.

The families of the “disappeared” are not the only Algerians whose sense of injustice presents a potentially destabilizing factor for the future. Many Algerians, and particularly those whose were victimized by armed groups, resented seeing militants absolved for their violent crimes and reintegrated into their communities while their victims themselves received little or no assistance from the state. And the popular perception that the security forces enjoy impunity, which has fueled sporadic disturbances around the country, will likely be reinforced by an amnesty proposal that shields their members from prosecution for even the gravest abuses committed during the years of strife.

The bottom line is that amnesty will not bring amnesia. The scars and resentments brought about by past violence will remain just under the surface for years to come. Lasting stability in Algeria, as in all post conflict societies depends in part on truth telling and accountability.

WOMEN'S RIGHTS

Another important challenge for Algeria is the protection of women's rights. In this respect, Algeria remains a paradox. In presenting their case for halting the elections of 1992, Algerian authorities often invoked the specter of a severe setback in the status of women should an Islamist party come to power. However plausible their argument, authorities did nothing to reform the 1984 family code, which is based on misogynistic interpretations of shari'a law. The code treats women as legal minors, and sanctions discrimination against them in marriage, divorce, inheritance, and child custody. Women's rights defenders in Algeria have long campaigned for the abrogation or radical revision of the code.

The code allows a man to unilaterally dissolve his marriage without cause. A woman, unless her husband agrees, can obtain a divorce only by petitioning a court on the basis of certain types of harm or prejudice specified in the law. In the process she is likely to face a series of legal and procedural obstacles.

The code provides the husband with legal guardianship over minor children, even after the wife is awarded custody of them in a divorce proceeding. This means, for example, that the father's signature is necessary for the child to obtain a passport or to enroll in a school.

In the event of divorce, the couple's home—if they possess only one—becomes the property of the husband. The law stipulates that the husband is to provide housing for his ex-wife if she obtains custody of the children and if he has the means to do so. But in practice, women who are divorced by their husband often end up homeless, even if they have children under their care.

To his credit, President Bouteflika, upon his reelection last April, vowed publicly to reform the code, saying he rejected that women "should be subjected to a status that assails their rights and condemns them to a condition inferior to men's."

On February 22, Algeria's council of ministers approved proposed reforms that would diminish and in some cases eliminate the discriminatory provisions of the family code. Parliament is expected to approve these much-needed changes. Women's rights activists in Algeria have criticized the amendments for not going far enough. They are particularly disappointed that the revisions stipulate the presence, at the time the marriage is contracted, of a guardian for the bride, even if she is legally an adult. This provision, in the view of many activists, perpetuates the status of the wife as an unequal partner in marriage. They will continue their struggle for complete equality in law and in its application. We urge the United States to uphold the same benchmark in evaluating this reform, and to encourage state efforts to educate both judges and the general public to ensure that Algerian women can benefit in practice from these new legal protections.

We are also pleased to note that 2004 amendments to the penal code make sexual harassment an offense punishable by law. And last month, the Council of Ministers approved a reform of the nationality code that would make it possible for Algerian women married to foreign men to transmit their nationality to their children for the first time. We hope this reform will soon be adopted into law.

CONCLUSION

Despite the horrific political strife of the 1990s, Algeria has preserved a margin of freedom for the press, for independent civil society activism, and for political opposition. As the violence diminished, reports of grave human rights abuses declined as well.

But before it can move forward, Algeria needs to address the legacy of its violent past. During the 1990s, practically no effort was made to investigate the assassinations, massacres, "disappearances" and acts of torture that were committed. That effort must begin now.

The experience of societies recovering from conflict around the world shows that a durable democracy does not grow from sweeping the past under the carpet. A healthy transition includes a process of investigating and establishing a public record of the abuses that occurred, and imposing accountability for past abuses in a form that is persuasive in the eyes of the public. These are the ways that a society can learn from and break with past practices. And while it is true that reopening the past can stir up passions and recriminations, the risks of denying or ignoring the past are even greater.

Successive American administrations have shown interest in the cause of the families of Algeria's "disappeared." At a time when Algerian authorities are floating the idea of a general amnesty, the United States should publicly declare that any "national reconciliation" worthy of the name must include a process of establishing truth and justice with respect to "disappearances" and other grave violations of the past. This would be completely consistent with U.S. policy in other societies that have been ravaged by civil conflict, from Colombia to the Balkans to Iraq.

Of course, Algerians themselves should play the lead role in determining how best to reckon with these violations. But the U.S. can urge that the manner by which the Algerian people makes these choices is genuinely open, well-informed, consultative, and deliberative, as it was for the citizens of the Republic of South Africa when they adopted their own model for dealing with the crimes of the apartheid years.

This moment in Algeria's history recalls in some ways the juncture the country faced some fifteen years ago. A wave of political reform had followed widespread riots that erupted in October 1988, riots that the security forces violently suppressed by killing some 500 protesters and torturing hundreds more. After the riots, the sweeping reforms and a drop in reports of torture prompted not a few observers to proclaim that Algeria, a one-party state since independence, was now on its way to becoming a pluralistic democracy. Despite the progress on some fronts, no one was held accountable for the extrajudicial killings and widespread torture perpetrated by those who suppressed the 1988 disturbances, and in July 1990, parliament adopted a blanket amnesty law protecting them from prosecution. Tragically, three years later, the security forces, when seeking to crush the Islamic Salvation Front and confronting the spread of armed attacks, wasted little time in deploying extra-legal and indiscriminate means of repression harsher than anything the country had seen in its young history.

When a violent conflict subsides, there is a natural urge to forget the past. But today, as in 1990, an amnesty that ratifies impunity for grave abuses that have not even been investigated heightens the risk that the horrors of the past will someday be repeated rather than laid to rest.

Mr. ROYCE. Thank you very much.
We will go to Mr. Vidino.

**STATEMENT OF MR. LORENZO VIDINO, DEPUTY DIRECTOR,
THE INVESTIGATIVE PROJECT**

Mr. VIDINO. Thank you, Mr. Chairman, and thank you for the opportunity to discuss this situation in Algeria today.

Today's hearing is particularly important given the similarity of the threat faced by Algeria and the United States. While the United States has not faced the massive wave of violence that led Algeria into civil war, the forces that America is fighting today throughout the world belong to the same radical Islamic movement that has been trying to destroy Algeria.

The GIA and GSPC, the two main groups that have battled with the Algerian Government over the last 15 years, have strong ideological, financial and operational ties to al-Qaeda, and have been behind several attacks against United States interests throughout the world.

Algerian Islamists have created an extensive worldwide network of terrorist cells that have been used by al-Qaeda to franchise its operations.

While it is undeniable that Algeria's record on human rights in the past have been far from impeccable, the country is one of America's closest partners in a region where America needs help. Algeria's experience in fighting Islamic radicals can help the United States in its war on terror as the United States and Algeria are bound together by a common enemy.

Violence erupted in Algeria after the Government cancelled the January 1992 elections that FIS, Algeria's first Islamic party, was

poised to win by a landslide. Radical elements of the FIS and veterans of the African War against the Soviet Union formed a new group, the Armed Islamic Group, known as GIA, which wanted to establish an Islamic force—an Islamic state by force, rejecting any truce or compromise.

The GIA immediately characterized this struggle against the Algerian Government as a jihad, against the infidel forces, using a terminology that is commonly used by Islamics worldwide, al-Qaeda included.

The Islamists were not alone in their violent struggle against a secular government. Throughout the 1990s, they received financial and logistical support for al-Qaeda. As hundreds of Algerian militants training in al-Qaeda training camps in Sudan and Afghanistan, and while battling the secular government at home, the GIA established a strong presence in Europe where its cells cooperated with other Islamic groups and provided the militants fighting for the GIA with money, weapons and false documents.

In 1994, the GIA brought its jihad to Europe, hijacking a plane and planning to crash into the Eiffel Tower and bombing the Paris metro system.

In 1998, a former GIA leader, Hassan Hattab, created a new group, the Salafist Group for Preaching and Combat, GSPC, which has replaced the GIA as the main antagonist of the Algerian Government.

As its name indicates, the group embraces a strict Salafi interpretation of Islam, the same ideology that al-Qaeda embraces. And al-Qaeda and GSPC share more than just an ideological affinity. According to intelligence reports and the testimony of a former GSPC leader, the group itself was formed under the direct instructions of bin Laden. GSPC had its own training camp in Afghanistan and al-Qaeda used the GSPC's extensive European network to establish its own presence in Europe.

While never losing sight of its original enemy, the Algerian Government, the GSPC has been involved in several attacks against United States targets over the last few years. Algerian terrorists have been behind the plot to bomb the Los Angeles International Airport in 1999, the U.S. Embassies in Rome in 2000, Paris in 2001, and Bamako, Mali in 2002. A GSPC cell in Europe is believed to have planned to kill President Bush at the G-8 meeting in Geona in the summer of 2001.

Official communiques issued by the GSPC confirm its adherence to al-Qaeda's jihad. Four days after 9/11 the GSPC issued a communique offering its support to al-Qaeda, and threatening to strike the interests of European countries and of the United States.

Just a few weeks ago, in January 2005, the GSPC issued a statement praising Abu Musab al-Zarqawi, al-Qaeda's leader in Iraq.

The enemy that has blooded the streets of Algeria for more than a decade is the same that the United States is fighting now, radical Islamists who have hijacked a religion to achieve their political goals. Given this similarity, analyzing Algeria's fight against terrorism can be very helpful for the United States.

While the United States and its partners need to push Algeria for additional improvements in the road toward democracy, and respect of human rights, this African country has been one of Amer-

ica's most valued allies in the war on terror. The GSPC, a group that the U.S. has designated as a terrorist organization in March 2002, is still active in parts of the country.

The lawless desert areas between Algeria, Niger, Mali and Mauritania are known to harbor several hundred terrorists linked to al-Qaeda. A small number of U.S. Special Forces are present in the area training local forces and providing them with the tools necessary for their counterterrorism efforts.

The Algerian Government is a key United States ally in the delicate region, and the U.S. Government recently described it as a "proactive and aggressive regional leader in the global coalition against terrorism." Algeria is also a source of important information that has allowed intelligence agencies to dismantle terrorist cells in Europe and North America.

It is important for the United States to work closely with Algeria both locally and globally, and to learn from Algeria's bloody past in order to understand the enemy we are facing.

Thank you.

[The prepared statement of Mr. Vidino follows:]

PREPARED STATEMENT OF MR. LORENZO VIDINO, DEPUTY DIRECTOR, THE
INVESTIGATIVE PROJECT

Good afternoon, Mr. Chairman and Mr. Vice-Chairman, and thank you for the opportunity to discuss the situation in Algeria with you today.

Today's hearing is particularly important given the similarity of the threat faced by Algeria and the United States. While the United States has not faced the massive wave of violence that led Algeria into civil war, the forces that America is fighting today throughout the world belong to the same radical Islamist movement that has been trying to destroy Algeria's institutions and civil society.

The GIA and the GSPC, the two main groups that have battled the Algerian government for the last fifteen years, have strong ideological, financial and operational ties to al Qaeda and have been behind several attacks against US interests throughout the world. Algerian Islamists have created an extensive worldwide network of terrorist cells that has been used by al Qaeda to franchise its operations.

While it is undeniable that Algeria's record on human rights in the past has been far from impeccable, the country is one of America's closest allies in a region where America desperately needs help. Algeria's fifteen year experience in fighting Islamic radicals can help the United States in its War on Terror as the US and Algeria are bound together by a common enemy.

THE BEGINNING OF THE ALGERIAN CIVIL WAR

It is in fact not a coincidence that the movement that threatens both America and Algeria has its roots in the war against the Soviet Union in Afghanistan. While al Qaeda was created in Afghanistan by Bin Laden and other Arab volunteers who had fought against the Soviets, it was also in Afghanistan that the idea of violently overthrowing the Algerian regime and establishing an Islamic state was conceived.

In fact, while radical groups were active in Algeria throughout the 1980's, it was only by the end of the decade, when an estimated 1,500 Algerian volunteers who had fought in Afghanistan returned to Algeria, that Islamist forces became a real threat to the government.

In March of 1989, after Algerian President Chadli Bendjedid modified the constitution and ended the era of a single party, the Front for Islamic Salvation (known as FIS), Algeria's first official Islamic party, was created. FIS members, while united by the shared goal of Islamizing Algeria, came from different backgrounds, and if some of them were advocates of armed struggle to obtain their goals, others were representatives of the country's intelligentsia who wanted to peacefully change society.

FIS immediately gained the sympathy of the Algerian population and was poised to win the January 1992 elections by a landslide. The Algerian government, fearing that the FIS would establish a theocratic dictatorship, canceled the elections and arrested the group's leadership.

The cancellation of the elections led to a violent confrontation between the Algerian government and the Islamists. FIS immediately lost its cohesiveness, as the more moderate component of the group tried to engage the Algerian government in negotiations while the radicals decided to use violence.

Radical elements of the FIS formed a new group, the Armed Islamic Group (known as GIA from its French acronym). Hardcore Islamists and veterans of the Afghan war gained leadership positions in the group, which rejected any truce or compromise. GIA immediately characterized its struggle against the Algerian government as a "jihad" against the "infidel forces," using a terminology that is commonly used by Islamists worldwide, al Qaeda included.

LINKS TO AL QAEDA

In a matter of months, the GIA marginalized the FIS and became the Algerian government's main enemy, engaging it in a civil war that has claimed, according to conservative estimates, around 100,000 lives. The GIA, made up mostly of unemployed and uneducated young men, made it its official policy to kill anybody it identified with the Algerian government and civil society: intellectuals, doctors, civil servants, journalists and teachers. The entire population of villages, including women and children, deemed sympathetic to the government were exterminated overnight by GIA members.

By 1995 the GIA controlled large parts of the country. Police officers were expelled from villages and entire neighborhoods were declared "liberated Islamic zones." A harsh interpretation of Islamic law was enforced in GIA-controlled parts of the country, with women forced to wear the veil and men prohibited from listening to radio or TV programs considered un-Islamic.

The Islamists were not alone in their violent struggle against the secular government. Throughout the 1990's they received financial and logistical support from al Qaeda, as hundreds of Algerian militants trained in al Qaeda training camps in Sudan and Afghanistan. And while battling the secular government at home, the GIA established a strong presence in Europe, where its cells interacted with other Islamist groups and provided the militants fighting in Algeria with money, weapons and false documents.

In 1994 the GIA, while continuing its brutal campaign against the Algerian government, began attacking French targets inside Algeria. In December of 1994 the GIA brought its jihad to Europe, as GIA operatives hijacked an Air France airplane at the Algiers airport. The terrorists planned to crash the plane into the Eiffel Tower. French Special Forces stormed the plane in Marseille, killing the terrorists and preventing what could have been a gruesome predecessor to 9/11. Proving the GIA's link to al Qaeda's global jihad, one of the hijackers' demands was the release of Omar Abdel Rahman, the infamous blind sheik imprisoned in the United States for his role in the 1993 World Trade Center bombing.

Further proof of GIA's ties to al Qaeda's global jihad is supplied by the history of its official newsletter, al Ansar. Al Ansar's top editors were not Algerians, but rather two of the most important al Qaeda leaders of the last decade. One of them, the Palestinian cleric Abu Qatada, has been dubbed "Al Qaeda's ideologue" in Europe by Spanish authorities. The other, Syrian national Abu Musab al Suri, is believed to have been one of the masterminds of the March 11 train bombings in Madrid and to be closely linked to Abu Musab al Zarqawi, the current leader of the Iraqi insurgency. Al Ansar is just an example of how GIA's battle was closely connected to al Qaeda's global jihad.

THE GSPC

The harsh measures used by the Algerian government against GIA, which included detaining its operatives in camps in the middle of the Sahara desert and engaging the group in a full confrontation, crippled the organization. But the end of GIA came from a self-inflicted wound, as it were the GIA's brutal tactics and the indiscriminate killings of civilians that caused public support for the group to fade by 1997.

In 1998, a former GIA leader, Hassan Hattab, created a new group, the Salafi Group for Preaching and Combat (GSPC). Since 1998, the GSPC has replaced GIA as the main antagonist of the Algerian government, even though the current levels of violence are notably inferior to the peaks of 1996 and 1997.

As its name indicates, the group adheres to a strict Salafi interpretation of Islam, the same ideology that al Qaeda embraces. And al Qaeda and GSPC share more than just an ideological affinity. According to intelligence reports and the testimony of a former GSPC leader, the group itself was formed under the instructions of Bin

Laden. GSPC had its own training camp in Afghanistan and al Qaeda used the GSPC's extensive European network to establish its own presence in Europe.

By the end of the 1990's the GSPC had completely embraced al Qaeda's ideology of global jihad against the US and the West in general. While never losing sight of its original enemy, the Algerian government, the GSPC has also been involved in several attacks against US targets over the last few years. According to a US indictment, the Millennium plot, the attempt to blow up the Los Angeles International Airport on New Year's Eve of 1999, was hatched by a group of GSPC members in London, Montreal and Afghanistan.

Algerian terrorists have been behind plots to bomb the US Embassies in Rome in 2000, Paris in 2001 and Bamako, Mali in 2002. A GSPC cell in Europe is believed to have planned to kill President Bush at the G8 meeting in Genoa in the summer of 2001.

Official communiqués issued by the GSPC confirm its adherence to al Qaeda's jihad. Four days after 9/11 the GSPC issued a communiqué offering its support to al Qaeda and threatening to strike "the interests of European countries and of the US." Just a few weeks ago, in January 2005, the GSPC issued a statement praising Abu Musab al Zarqawi, al Qaeda's leader in Iraq.

THE ALGERIAN GOVERNMENT'S POLICIES

The enemy that has bloodied the streets of Algeria for more than a decade is the same that the US is fighting now, radical Islamists who have hijacked a religion to achieve their political goals. Given this similarity, analyzing Algeria's fight against terrorism can provide the United States with important information on how to conduct its own War on Terror.

The Algerian government has often been criticized for its tough position against its opponents and accused of blindly persecuting all Islamists. It is undeniable that certain mistakes were made, particularly immediately after the cancellation of the 1992 elections, as the government took a hard stance against all forces it perceived as a threat.

Nevertheless, after the initial turmoil, the Algerian government adopted a more balanced policy and decided to differentiate between moderate Islamists and radicals with whom no dialogue is possible. While it kept its iron fist with the GIA, a group bent on carrying out its jihad till death and whose motto was "No compromise, no negotiations," the Algerian government decided to negotiate with the more moderate Islamists.

One example of this openness to moderate Islamist is the overture made to the late Mahfoud Nahnah, the historic leader of the Islamist party Hamas (which has no connection to the Palestinian terrorist group). While he shared FIS and GIA's dream of an Islamic state in Algeria and strongly criticized the secular Algerian government, Nahnah never used violent means to achieve his goals and always negotiated with the government. As a consequence, Nahnah, unlike the FIS or GIA, was allowed to run in the elections, which he lost in both 1995 and 1999.

The different approach used by the Algerian government toward Islamists of different nature could be used as a model by the United States in the region. While it is important to confront forces that advocate the use of violence with determination, it is also necessary to diplomatically engage and try to co-opt more moderate forces, avoiding a full confrontation with all Islamist movements in the Middle East.

ALGERIA AS AN ALLY IN THE WAR ON TERROR

What the United States cannot condone is Algeria's human rights record. According to Human Rights Watch, Algeria "disappeared" over 7,000 people during a brutal campaign lasting from 1992 to 1998. In its annual country report on Algeria, released last week, the State Department noted that there has been a continued "failure to account for [these] past disappearances." Moreover, throughout the 1990's, Algeria's security forces regularly tortured detainees and arbitrarily arrested citizens. Restrictions on free speech and the press have also plagued the country.

Nevertheless, as condemnable as they are, it appears that most of these brutal acts carried out by the Algerian government were motivated by the sense of emergency that characterized the mid-1990's. Over the last 5 years, Islamist groups have lost significant ground and an extremist takeover is now quite unlikely. As the security situation improved, the Algerian government, while still actively combating terrorist groups, improved its record on human rights.

In February of 2003, Human Rights Watch reported that "state-sponsored disappearances have virtually stopped in Algeria." The 2004 US State Department Report on Human Rights Practices claims that, while the country's record remained "poor," the government took "notable steps to improve human rights." Foreign ob-

servers certified that elections that have taken place over the last few years have been, generally, free and fair.

While the US and its partners need to push Algeria for additional improvements in the road toward democracy and respect of human rights, the African country has been one of the US' most valid allies in the War on Terror. While no longer a threat to the Algerian regime's stability, the GSPC, a group that the US has designated as a terrorist organization in March of 2002, is still active in the southern parts of the country, where it runs profitable human and weapons smuggling networks.

The lawless desert areas between Algeria, Niger, Mali and Mauritania are known to harbor several hundred terrorists linked to al Qaeda. Small numbers of US Special Forces are present in the areas training local forces and providing them with tools necessary in their counterterrorism efforts. The Algerian government is a key US ally in this delicate region and the US government has recently described it as a "proactive and aggressive regional leader in the global Coalition against terrorism." Algeria is also a source of important information on GSPC cells located in Europe and North America.

It is important for the US to work closely with the Algerian government locally and globally and to learn from Algeria's bloody past in order to understand the enemy we are facing.

Mr. ROYCE. Thank you. We appreciate it, Mr. Vidino.

I just wanted to acknowledge Congresswoman McCollum has joined us, and I wanted to acknowledge her participation in the codel recently to Algeria, Chad, and into Sudan where she saw the devastation in the town of Tine. It was bombed and 40,000 people were driven out of Tine.

We put a lot of effort and time into these hearings, so I want to give our witnesses a chance here to have a little dialogue, and maybe we can ask some questions from your testimony that can build on their thesis, and I wanted to start, Dr. Ullman, with your point.

You talk about the need for a new Marshall Plan with respect to the magnitude of the challenge before us, and I wanted to ask you about what you perceive to be the goals and means in that regard, and maybe take Algeria as an example. Would it be geared toward a country like Algeria?

You pointed out the mistakes made in the reconstruction in Iraq. How would this be different?

Mr. ULLMAN. Thank you very much for that question. I argue for a much broader version of the Marshall Plan. It seems to me that the fundamental issue here is we have got to go after the causes and not the symptoms of what ails the system, and that is going to be on a case-by-case basis because obviously every country is not the same. It is going to be more than economic. It has got to be political. It has to have a huge component of winning the battle of the war of ideas.

If you have not seen the Defense Science Board report last spring, or last fall, you ought to because it is quite good.

And so the Marshall Plan that I would envisage would have specific goals. In Pakistan, it is to bring some degree of stability. It is to try to do away with the madrassahs using Pakistani teachers to get rid of some of the roots of the problems there. We have to push Saudi Arabia. We have to push Egypt more toward progressive steps. We have to do something to deal with so much of the endemic unemployment and underemployment. I would not argue that terrorists rise from poverty. If you take a look at who many of these people are, they are well educated. They come from the

upper middle classes. Why? Because they are shut out of the system.

One of the things I would rely on much more heavily, and I go back to the European Command. If you take a look at what happened in the former Soviet bloc countries, one of the greatest achievements was through the Partnership for Peace and American military and European military who helped democratize those former East European countries.

I think the presence of American military personnel in these countries is probably one of the best examples that we can go through. That would be part of my Marshall Plan.

Mr. ROYCE. A very small contingent.

Mr. ULLMAN. Absolutely, very small.

Mr. ROYCE. For example, the special forces in Chad.

Mr. ULLMAN. Precisely. Well, they don't necessarily have to be special forces, and I think European Command had done that.

I would also expand the Marshall Plan to go beyond just the greater Middle East. This Committee has a great interest in non-proliferation. One of the things I argue for is expanding the six-power talks in the Korean Peninsula to all nuclear states, including Israel, India, Pakistan, Britain and France, for the purpose of dealing seriously with nonproliferation to prevent the use of these weapons, and ultimately trying to build down.

Again the model here is the Conference on Cooperation and Security in Europe, which was a good confidence-building measure.

Mr. ROYCE. Thank you. One of the questions I have is in terms of engagement, the question of blow-back once we introduce special forces to train special brigades, that in a way can perhaps encourage some of the militants to utilize that as an issue.

Mr. ULLMAN. There is no doubt about that.

Mr. ROYCE. Yes.

Mr. ULLMAN. But I also would say do not limit it just to special forces.

Mr. ROYCE. Right.

Mr. ULLMAN. I think the U.S. military across the board is very capable of doing that.

Mr. ROYCE. I was going to ask Mr. Vidino a question about the success of the Algerian military specifically going after the GIA and the GSPC over the last few years. Can you put this into context with respect to efforts to go after al-Qaeda or al-Zarqawi? What lessons there could be learned in terms of modus operandi?

Mr. VIDINO. Over the last 5 or 6 years the Algerian Government has made the GIA almost irrelevant, and has significantly reduced the GSPC's power and influence in Algeria. According to the latest reports, the GSPC has no more than 5,000 fighters. Most of them are segregated to the mountains or to the desert areas, so they do not pose the same threat that they used to pose 5 or 10 years ago.

Clearly, one of the keys to the success of the Algerian Government was the fact that the population had enough of the GIA and the GSPC's brutal tactics. They, at a certain point, especially the GIA, did not have the popular support that it used to have, and the population itself provided the information to Algerian security forces.

I think that is partially what is happening in Iraq right now. If, as the latest reports say, we have been able to partially dismantle al-Zarqawi's network, that is because most of the—even the Sunni population is now sick and tired of al-Zarqawi's tactics, and is starting to provide information to United States and Iraqi troops. So that is probably the key to the success that Algeria had, and that is the key for the United States' success in Iraq.

Mr. ROYCE. Yes, I know after the Second World War my father told me that in Europe where he was stationed there were a lot of wolverine units, and those units were taking out a lot of the German mayors. In many cities, they were having a great deal of difficulty getting any Germans to volunteer to be in the city council.

Likewise, I think he told me about 90 United States servicemen who were killed by these units until such time as the perception changed among Germans that the resistance was not going to prevail. Of course, they had the ability to lock down media information about that at the time. But as the perception changed, then the attitudes, and then the cooperation changed, and then it was possible to get Germans to infiltrate the wolverine units and take them down from the inside.

Do you see that possibility of recruitment and infiltration? We never effectively infiltrated though al-Zarqawi's operations or al-Qaeda.

Mr. VIDINO. No, but the Algerians have been able to infiltrate the GIA and the GSPC. There have been reports actually that the Algerian intelligence is providing information on Algerian fighters going to Iraq. There has been a significant number of Algerian—GSPC and GIA members going to Iraq and fighting United States forces there, and it is known that some Algerians provided some information on them because the Algerians have been able to infiltrate them.

They have done the same thing in Europe, especially in France. There is a close cooperation between the Algerian Government and the French Government since the French have the problem of Algerian—Sunni groups on their territory for a long time, and information provided by Algeria have enabled France to dismantle several cells in France.

Mr. ROYCE. Let me ask you a philosophical point, back to Lorne Craner. You say regarding Algeria, "We can advance both our security and human rights interests concurrently," and I wonder if this is the case throughout the Arab world because Dr. Ullman had a little different take on this. He pointed out our experience in relationship building with the former Soviet Union and China where—well, anyway, let me hear your thoughts on that and then maybe your rebuttal on it.

Mr. CRANER. I would argue that it was when we began to raise human rights issues with the Soviet Union that the situation began to change. I often liken today in the Middle East to the late 1970s or the early 1980s in the Soviet Union when we had begun to give cover to people who had long been wanting to come out to complain about and change the system. And when we gave them the opportunity, in other words, by in part restraining the regime, their courage allowed them to come out and allowed them to begin

demonstrating and writing, and talking about what they wanted to see.

So I would argue that we should be doing somewhat similar to what we did in the Soviet Union and in fact we were doing that, and I would argue certainly over the last couple of weeks you have seen that to be very productive, if I read Tom Barnett's analysis correctly.

Mr. ROYCE. Dr. Ullman seems to agree with you with respect to how you deal with China or an emerging power. Did you want to add anything to the question of whether or not these two interests can be concurrently achieved?

Mr. ULLMAN. Yes, I do.

Mr. ROYCE. Yes, go ahead.

Mr. ULLMAN. Back to my historical analogy. There are many reasons that the Soviet Union collapsed. If you have not read either of Gorbachev's books, human rights was an interesting issue, but it collapsed for other reasons. I just think you ought to look at the history there.

One of the problems we face is that we may get the worst of democracy. You made the comment, Mr. Chairman, about what happens if you vote in an Islamic regime. My concerns are that we do not understand the cultures. I will give you an example.

I would assert that much of the insurgency in Iraq right now is coming from Saddam Fedayeen, of the 40,000 members, some large number, and I think that the al-Qaeda presence is very, very small, and I think that we have to understand that the history here is very important to understand the roots.

So yes, we have to take the lead in using values toward pluralism, and open societies, but the problem, for example, in Saudi Arabia and Egypt, if we push too hard, we are going to have a revolution. On the other hand, if we do not push hard enough, they may still get a revolution. So I think what we have to do is understand their interest here, but let us be very careful before we push this too far because we could find out democracy voting in the people we do not want.

Mr. ROYCE. Mr. Campbell, do you agree with that assessment? And then we are going to go Mr. Sherman.

Mr. CAMPBELL. No, I do not agree with the assessment in the sense that even thinking about Algeria, the greatest successes of the Algerian Government, finally getting a handle on the mass killings, came—and I realize that it is very difficult to make these ties scientifically—but the greatest advances came when Algeria finally got serious about democratization.

And as I mentioned, for a number of years Algeria actually, in many ways, led the region. They finally had a series of reasonably good elections, not perfect. They allowed political parties, particularly Islamic parties, to flourish, and people had an outlet. I would argue that one of the big factors in Algeria is that it became possible and fashionable to have alternative views to the Government, alternative Islamic views, but you could actually do it within a legal party, and have this dialogue in newspapers and so on, and that helped to sort of take the air out of the problems that Algeria was having.

But in terms of Egypt and Saudi Arabia, one of the—just speaking in my 10 years of democracy promotion—one of the biggest obstacles that I and the NDI had to overcome, and Lorne Craner will probably agree with this, is the inconsistency of the U.S. Government as it speaks about these problems.

So you know, if I could change one thing in these last 10 years, it would be to not have to face courageous Middle East democrats who would say to me, well, you are here now as a Washington organization preaching freedom and democracy to me, but if I was a Saudi leader, you would not say the same thing. If I am Mubarak, and I am helping them with these processes, you would not say the same thing. You are only saying this to me now because we are a weak country. You know, we are in a bad position.

The big thing, and I think it is a positive change under President Bush in these last few years after September 11th, is this consistency that is coming; that diplomacy, democracy assistance, human rights advocacy and all these things, and battling terrorism through these traditional means, are all coming together, and I think that when they all work together that we will have successes.

Mr. ROYCE. Thank you, Mr. Campbell.

Mr. Sherman.

Mr. SHERMAN. Just a few comments about what our witnesses have said. Mr. Campbell, I cannot agree with you that we have a consistent policy now. Certainly we do not treat human rights in Saudi Arabia the way we do in Africa, for example. And I would have to—I guess I am being pretty disagreeable with Mr. Ullman's view that this is the greatest danger of the last 100 years. Having survived the perils of the Cold War and World War II, we can now look back and say, well, those were modest. I think those were greater threats, and yet we—just because we survive them does not mean that with some bad planning and bad luck we could not succumb to what I would assert would be the lesser threat we face today.

We will see. I do agree with Mr. Craner that our emphasis on human rights provided an important ideological corrosive to the structure of the Soviet Union.

I would like to address a question, I guess, to Mr.—help me.

Mr. MALINOWSKI. Malinowski.

Mr. SHERMAN. Malinowski. I am wearing my reading glasses and I could not see that far.

Are we, in our efforts to train Algerian forces, doing so in a way that will—so that the trainees will not participate in atrocities? Are we integrating human rights into part of our training programs, and should we?

Mr. MALINOWSKI. Well, I am satisfied that most of the training programs the U.S. military runs around the world do integrate respect for human rights, rule of law, civilian command into the curriculum, and that is obviously something I support. I think it is important.

That does not necessarily mean that the problem in these countries—now speaking generally—is that officers simply need a better education in good values, and if only they knew that there was a better way of doing things they would.

If only they were exposed to our wonderful American ideas, they would see the light and treat their people better. Training programs work when they are introduced into countries where there is already a preexisting commitment to respect the law and democratic values and human rights, and there are plenty of societies in transition where that commitment exists, but the practice is not quite there yet, and in those situations the training programs can have, I think, a very positive impact. Algeria may be in that category.

Mr. SHERMAN. So you would say if we are training forces in a country that your organization, if you granted countries, would give a B.

Mr. MALINOWSKI. Right.

Mr. SHERMAN. And we send those forces back, that can be an element—

Mr. MALINOWSKI. Right.

Mr. SHERMAN [continuing]. In that country getting a B-plus or an A. But if we are dealing with a country whose human rights records is a D or an F, sending back a few forces well schooled in human rights will not accomplish much?

Mr. MALINOWSKI. Correct. It would be very naive, I think.

Mr. SHERMAN. I do not know who to address this to, whoever on the panel will respond, we have faced an interesting case study when the FIS was close to getting control of Algeria. Was there another way for either the Algerian military or other moderate forces in Algeria or for the United States to have dealt with FIS other than the path that, I guess you could say, has led to some level of success, but at a tremendous cost?

Mr. CAMPBELL. I will jump at it.

Mr. SHERMAN. Okay.

Mr. CAMPBELL. I think, you know, hindsight is 20/20. But I think it would have been better and in my opinion would not have led to the loss of at least 150,000 people, it would have been better to allow the election results to have stood—all the elections to go ahead and allow the elections to have stood.

There would have been the danger, as has been expressed on the panel, of the problem of one person, one vote, one time, but I am strongly of the opinion, again having worked in this field for a number of years now, that the only way of defeating the threat of political Islam is to bring it into the light of day. Have free elections, genuine elections. Have the results be recognized as they are, and then eventually marginalizing those who would choose violence over political—

Mr. SHERMAN. Do you know what an FIS, and I realize we are just—I am just going to ask one more bizarrely speculative question. Would an FIS government have slaughtered its opponents either upon taking power?

Mr. VIDINO. It is difficult to say.

Mr. SHERMAN. These are rhetorical questions.

Mr. VIDINO. The thing about FIS was a coalition party.

Mr. SHERMAN. Right.

Mr. VIDINO. It was made up of 15 different parties. Some of them were definitely radicals and some of them were veterans of the Afghan war. Some of them are parties that fought the Algerian Gov-

ernment in the 1980s. Some of them were more moderate forces who actually somehow started negotiations with the Government in 1993 and 1994.

So it is very difficult to say which part of the——

Mr. SHERMAN. Which part of FIS and whether either upon taking power or in an effort to hold onto power they would have slaughtered just as many people who were lost in the civil war.

But applying these lessons of Algeria to our present circumstance, we see a popular Islamic movement with very substantial power in Iraq. How should we react, Mr. Craner, to a substantial Islamic power in a budding democracy in Iraq?

Mr. CRANER. Well, I would argue that these recent elections were instructive in two ways. One is the issue we were addressing a few minutes ago. You may recall before the elections there were a lot of experts saying that elections would lead, for example, to a civil war; that it was the worst possible thing we could do; that they really needed to be delayed, et cetera, et cetera, et cetera.

I think it has become clear to me looking back at these Iraqi elections that in some ways they were very much like what recently happened in Ukraine and Georgia; that they were essentially acts of civil disobedience. In the case of Ukraine and Georgia against a government. In the case of Iraq, people coming together and going out en masse against the terrorists, and saying we are going to begin to take control of this country. We may have to do it as a group, but we for the first time are going to exercise some control over our futures, number one.

I think number two——

Mr. SHERMAN. These hearings, if you can relate it to Algeria, that would be helpful because I think we could talk for hours just about——

Mr. CRANER. My point is that I think where you can offer people a democratic future, they are going to be very interested in taking it.

I think the second point again on Iraq is relevant, and that is that again a lot of people said before the elections, well, if you have elections, you are basically going to have Iran, part two. You are going to have a bunch of radical Shiite fundamentalists taking over the country. And I think for a variety of reasons, including the fact that they had time to watch Iran and what happens when radical fundamentalist Shiites run a country like that, that Iraqi Shiites do not want that for the future Iraq.

I am not sure that any—I am not sure that anybody across the Middle East who has a real chance of coming into power in elections wants their country to be run like Iran is today, and I think that is a lesson worth learning.

Mr. SHERMAN. Well, we have a distinguished colleague we have not heard from yet, so let me yield the floor.

Ms. MCCOLLUM. Thank you, Mr. Sherman.

I want to first say I really appreciated the generosity of time that was given to us by the leadership and the Algerian Government where we had very frank, very open discussions, and their willingness to become involved in bringing peaceful resolution to the best of their ability, and having discussions for enforcing that in the area of Sudan particularly.

I just recently came back from a parliamentary group where we monitor World Bank projects, and the focus on that was Africa, AIDS, poverty, poverty in portions of Asia, and it made me think quite a bit in coming back over on the flight the needs of Africa, what is going on with AIDS, what is going to be coming forward in India, China and Russia, are going to be overwhelming to the world in the fight against that disease of mass destruction, and not doing anything about it creates lack of civil society, orphans, which leads to political instability.

And then we have Iraq. So the United States dollars, resources in that will be greatly challenged and greatly divided over the coming years.

When we were in Algeria, and as I have met with some of the Ambassadors and Counsel Generals from the northern tier of Africa, they have expressed an opportunity for greater partnership with the United States in the areas of trade, technology, education, opportunities for loans and exchanges, kind of a different type of Marshall Plan, but an engagement in where a partnership can bring more stability, more success in a middle class to many of those areas.

But oddly enough, as we drove through and saw buildings being built in Algeria, we heard how the Chinese Government was a partner in loans, in exchanges, and in opportunities and infrastructure.

Now, whereas we are still an infant democracy, and we are still struggling, you have things right here in our own country sometimes with human rights here and abroad. I stand in great pride with my country versus China's human rights.

So my question to the distinguished panel is if human rights and global stability is our role, does the United States and the European Union need not to forget to be engaged and reach out in partnership more than just in the military exchanges, which I agree are beneficial for both parties against the war on terrorism, but in really creating opportunities for my children and the next generation after that to really be partners with Algeria and countries that find themselves not in dire poverty, but with all the way the world's resources are being pulled, not really being brought in to be equal partners the way I think they should be embraced?

Mr. ULLMAN. I agree with what you said. A strategy that we have been working on entails peace, prosperity and partnership, and I think we have failed to use the partnerships that are available to us.

Indeed, if you take a look at the Chinese who we may be making into a future peer competitor unnecessarily, they have been extremely good in understanding how to do that. In fact, I think the Chinese probably have more people in Africa than any other nation, not only because of the energy reserves, but because this is what they are pushing.

So I agree with what you think we need to be doing. It gets back to my critique that we do not have a global strategic response. It is one of the biggest criticisms I would levy against this Administration and to some degree the past Administration.

If I can respond to Mr. Sherman's point because I hope you are right, but I think this is the crux of the debate. It may well be that

these terrorists are like the hoola-hoop and in 10 or 15 years they will be a passing fad. I hope that is the case. But I really would urge you to look more closely at the formula that they are constructing, how attractive it—

Mr. SHERMAN. If I could interrupt you, sir. I was not saying that this was—

Mr. ULLMAN. I was not accusing you of that.

Mr. SHERMAN [continuing]. Or a passing fad. We lost well over 100,000 of our finest in Korea and Vietnam, and faced nuclear annihilation of the entire planet on a daily basis. We lost hundreds of thousands—well, tens of millions of people in World War II. Trust me, when I say it might be less than World War II, I am not saying it is not bigger than a hoola-hoop.

Mr. ULLMAN. No, but the issue here is the extent of danger to the United States, and if I am right, and I hope I am not, we are not facing societal devastation. What we are facing is massive disruption and an erosion of our way of life, declining influence, and the fact that your children and grandchildren will be very unhappy that we were not able to deal with the present issues today. That I think is a big issue, and I think most Americans are largely unaware of the potential consequences.

Mr. CAMPBELL. If I could just address Ms. McCollum's statement for 1 minute. Just on Algeria specifically, the Algerian authorities, civil society organizations, political parties and others have shown a great openness and willingness to partner with organizations such as NDI and others.

In fact, NDI has a young woman who lives in Algiers as our representative, who did much of the work on the written testimony who is working with women's organizations, working with the advocates for the disappeared, working with many others openly with the full support of the Algerian society. And you know, I hope I am not speaking out of turn for the Algerians, but I think they would very much welcome more of that type of partnership.

Mr. ROYCE. Well, if there are not any further questions, let me just say in conclusion that one of the things we talked about in opening this hearing was the fact that we should not forget Algeria must contend with an element in its society that does not believe in democracy, and even a smaller element that is going to be completely irreconcilable and use terrorism because they do not believe in a democratic process.

As I see part of the challenge here, there is an element that cannot be brought into the process regardless of amnesty for the following reason. Among those who take a hard line, and there is a view that the very activity of men and women participating in a process where men write the law rather than the law emanating from some super natural force is in and of itself a postate act, the act which is completely unacceptable, and I have seen handbills at universities put out by organizations that say the ultimate enemy is democracy itself, that is the ultimate affront to a religious being.

So I think that for that element Algeria and all the world is going to have a particularly difficult time because of the evolution of WMD and other methodologies that allow fanatics to take their war to another level.

I appreciate all of you making the trip down here to testify before us today. I appreciate the testimony that you have submitted for the record, and I am going to send that testimony to other Members of the Full Committee. Thank you so much. I appreciate it.
[Whereupon, at 3:52 p.m., the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

RESPONSES FROM THE HONORABLE LORNE W. CRANER, PRESIDENT, INTERNATIONAL REPUBLICAN INSTITUTE TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE TED POE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Representative Poe, thank you for your interest in ongoing developments in Algeria and the country's efforts to move from civil war back to more normal life. At the outset, I should say that IRI does not have programs in Algeria at the present time. As I mentioned in my testimony before the committee, I do not claim to be an expert on Algeria. I have had the good fortune of visiting the country during my tenure as Assistant Secretary of State for Democracy, Human Rights and Labor so I approach my view of Algeria from a comparative perspective versus other countries in the region.

Question:

What are some examples of recent improvements where the Algerian government has taken positive steps to increase stability? Specifically, steps that would protect the innocent civilians caught in the middle of Algeria's fight against terror?

Response:

An improvement in Algeria's overall stability requires political, security, legal and diplomatic measures on the part of the government. The basis for current improvements to domestic security are rooted in the 1999 "Civil Harmony" law providing immunity for militants who surrendered and who did not themselves commit killings or other serious crimes. President Abdelaziz Bouteflika's announcement in November 2004 of a general amnesty continues along the same line by granting amnesty to militants and further helping ease the sense of siege that has gripped Algeria for more than a decade.

Other positive measures improving the overall domestic security situation include efforts to increase military professionalism, a significant reduction in abuses by security forces, and recent elections which allowed for international monitoring by the OSCE and were seen as being Algeria's most free and transparent to date. Of equal importance to improved security, however, is a public expectation that the government will acknowledge complicity in "disappearances" and hold those from the security apparatus involved in criminal acts accountable for their actions. The ad-hoc Mechanism on the Disappeared (the Mechanism) set up by the Algerian government in 2003 is a step in the right direction, but it does not address accountability or criminal prosecution for those responsible for the worst crimes.

Not to be underestimated is the impact public fatigue for violence and civil war has also had on the security environment and the extent to which immunity for militants has served to marginalize the most hard-line extremists.

Question:

Do you know if the current efforts by the Algerian government to initiate national reconciliation also include compensation to the victims and victims' families? And what are the chances that the Algerian President will follow through on this promise last year that offenders will be held accountable for their crimes?

Response:

The ad-hoc Mechanism on the Disappeared (the Mechanism) made a recommendation in April 2004 that an "indemnity" should be paid to families of the disappeared, but only for cases verifiable in the Mechanism's files. The Mechanism claims to have 5,000 such case files; however, local NGOs have suggested the government has as few as 300 case files in its possession, despite wide NGO coverage of disappear-

ances. As stated in Tom Malinowski's Human Rights Watch testimony, there are differing views among families on whether to accept financial compensation because of continued uncertainty about whether those responsible for disappearances will be held criminally accountable for their involvement.

While the Mechanism is a positive step, it does not specify a plan for uncovering the truth about abuses and holding those responsible accountable for their crimes. Holding those criminally responsible for disappearances as has been done after periods of abuse in other countries will ultimately require specified mechanisms with investigative and prosecutorial power.

Question:

What role do you see for third party arbiters in the reconciliation process to ensure transparency and accountability on the part of the Algerian government?

Response:

A positive role might be played by third party arbiters in helping to reach consensus on the general principles of transparency and accountability and helping to put into place the necessary mechanisms for achieving those principles. This is probably best done with the aid of international institutions like the United Nations, OSCE and potentially others.

Question:

The conflict over neighboring Western Sahara has presented increased regional stability as well as economic development. This has affected Algeria and Morocco as well as the entire region. How would you address the issue of instability created by lack of resolution of the question of Western Sahara? What is your analysis of James Baker's proposal for resolution of the conflict and the possibility of a solution in the near future?

Response:

The Baker proposal on the Western Sahara issue, developed under the auspices of the United Nations, remains the most realistic plan to address the territory's future status, but the proposal is stalled due to disagreement about who should be eligible to participate in a referendum on future status. The Moroccan government has indicated a willingness to enter into renewed negotiations, but recent moves have been thrown off track by a row over Moroccan prisoners of war—allegedly 408 prisoners total—being held in a Polisario camp/prison in Algeria. The Western Sahara issue and other issues stemming from it remain the primary obstacle to an improved Algerian-Moroccan bilateral relationship; however, there is potential for an improvement in relations as a result of overtures made by King Mohammed VI and President Bouteflika at the recent Arab Summit in Algiers. The recent announcement by Algeria to lift visa requirements for Moroccans is an example of this.

RESPONSES FROM MR. LESLIE CAMPBELL, SENIOR ASSOCIATE AND REGIONAL DIRECTOR, MIDDLE EAST AND NORTH AFRICA PROGRAMS, NATIONAL DEMOCRATIC INSTITUTE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE TED POE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF TEXAS

Questions for the Record Submitted to
Mr. Campbell by
Representative Ted Poe
Subcommittee on International Terrorism and Nonproliferation
For the Hearing:
"Algeria's Struggle Against Terrorism"
Thursday, March 03, 2005

(1) What are some examples of recent improvements where the Algerian government has taken positive steps to increase stability? Specifically, steps that would also protect the innocent civilians caught in the middle of Algeria's fight against terror?

In terms of positive steps that have been announced by the Algerian government, and which have in some cases moved toward the implementation stage, one can cite:

1. Increased training, and awareness among, police and security forces personnel of basic human rights and legal arrest, interrogation and detainment procedures;
2. The 2004 amendment to Algeria's penal code which for the first time made torture a criminal act;
3. Public commitments by the Algerian government to move toward a state governed by the rule of law by bringing Algeria's legislation into harmony with international conventions and treaties that the country has ratified;
4. Recruitment and continuing education training for Algerian judges, so as to help reduce their caseloads and render more just rulings; and
5. A recent rhetorical commitment by the Algerian government to crack down on corruption and cross-border smuggling, which are the life blood of both organized crime and the remaining terrorist groups in Algeria.

It should be stressed that these positive steps are still largely of a rhetorical nature, and as such Algeria's friends in Congress and the international community more broadly should strongly encourage, as well as monitor, the implementation of these commitments on the ground.

At the risk of sounding somewhat cynical, I must tell you that it appears to many observers of Algerian politics that the government's main formula for promoting stability is to: 1) continue the military efforts to eradicate the remaining terrorists, while simultaneously inviting these latter to surrender; 2) throw money at some of the country's most dire social problems, but generally in a less than transparent or accountable manner; and 3) avoid or outright ban debate on sensitive national issues by retaining tight control over the audiovisual media, putting pressure on the private print media through libel suits, and maintaining restrictions on freedom of assembly and association for opposition political parties and civil society organizations.

(2) Do you know if the current efforts by the Algerian government to initiate national reconciliation also includes compensation to the victims and victims' families? And what are the chances that the Algerian President will follow through on his promise last year that offenders will be held accountable for their crimes?

Given past experience with the Civil Harmony Law (1999) and related presidential amnesty decree (2000), as well as rumors about a new general amnesty policy that have been publicly floated by the president and the press, but without providing any specific details, chances appear very slim that offenders (either terrorists, members of the security forces, or members of the government-armed civilian militias) will be held accountable.

To cite but one example of the government's approach to the accountability issue, the President of the "Ad-Hoc Mechanism for the Disappeared," a governmental commission created to shed light on the fate of the thousands of people that are alleged to have "disappeared" during the past decade, has repeatedly said publicly that the abuses committed were "the affair of individuals," not something organized at a higher level. In his words, "the first 'disappearance' was that of the Algerian State," and as such, "the State is responsible, but not guilty."

While the content of the general amnesty law that has been referenced by the president has not yet been announced, most analysts feel that it will extend, at the very least, to: 1) surrendered terrorists; 2) members of the security forces; and 3) members of the government-armed civilian militias. There have also been some suggestions that it might be so broad as to extend to those that have committed economic and financial crimes, including tax evasion and money laundering, during the last decade.

Legislation already exists mandating the compensation of victims of terrorism, although many victims and their families allege that they are not in fact receiving compensation. Executive decree 94-86 (April 1994) provides family members of security forces or public sector officials that were assassinated by terrorists with pensions up to the age of retirement of the deceased person. In the event that the deceased person was already retired, family members are to receive a one-time payment equivalent to two years' worth of the person's annual retirement pension. Executive decree 99-47 (February 1999) extended the categories of persons eligible to receive compensation to those that work in the economic sector (public or private), the private sector and to those who are unemployed. According to this law, survivors of collective massacres are also to receive financial assistance, as well as help returning to or joining the workforce.

It is believed that one of the recommendations of the "Ad-Hoc Mechanism of the Disappeared" will be to extend this compensation to the families of "disappeared" persons as well. A report to this effect is to be submitted to President Bouteflika by the head of the Mechanism by March 31, 2005.

(3) What role do you see for third party arbiters in the reconciliation process to ensure transparency and accountability on the part of the Algerian government?

At the current time, there is no mention by the Algerian government of recourse to third party arbiters. While the "National Commission for the General Amnesty" (a quasi-non-governmental organization that was hastily created in December 2003 to prepare the Algerian population and international community for a referendum on general amnesty; it is headed by former President Ahmed Ben Bella) has leaked the idea to the press that Nelson Mandela will be invited to Algeria for the official launch of the general amnesty referendum campaign, this would be for ceremonial, not arbitration purposes.

The Algerian government continues to argue that national reconciliation and the "disappeared" persons issues are "internal matters," and that "foreign interference" is not welcome. There are no current provisions for a transitional justice formula including an international community role, or even for the representation of Algerian non-governmental organizations representing the families of the victims of terrorism or the families of the "disappeared" in such a commission. As was noted by my colleague from Human Rights Watch in his testimony, the U.N. Working Group on Enforced and Involuntary Disappearances has never been allowed to visit the country, nor have the U.N. Special Rapporteur on Torture or the Special Rapporteur on Extrajudicial, Summary, or Arbitrary Executions.

Some of the non-governmental victims of terrorism and "disappeared" persons organizations, would, however, welcome and are actively calling for a third party role. The Collective of Families of the Disappeared in Algeria and Algerian League for the Defense of Human Rights have called for an independent truth commission that would include international experts and observers. Somoud, a victims of terrorism organization, has called for international assistance in the exhuming of mass graves and with DNA testing to identify the bodies. These requests remain dead letter with the Algerian authorities.

NDI would recommend that the United States government and the international community strongly encourage the Algerian government to put in place a truth commission that includes, at minimum, representation of the various victims of terrorism and families of the "disappeared" organizations, so as to ensure greater transparency and accountability in the national reconciliation process. Models for national, mixed and international community transitional justice mechanisms abound; while it is up to the Algerian people to choose the most appropriate mechanism for their own country, the international community should nevertheless encourage the Algerian government to put in place a mechanism that provides for greater accountability and discourages impunity. In the absence of such a mechanism, and without a broad and inclusive national debate on the issue, it is difficult to imagine that national reconciliation will truly take hold, nor that the long term stability of the country will be ensured.

(4) The conflict over neighboring Western Sahara has prevented increased regional stability as well as economic development. This has affected Algeria and Morocco as well as the entire region. How would you address the issue of instability created

by lack of resolution on the question of Western Sahara? What is your analysis of James Baker's proposal for the resolution of the conflict and the possibility of a solution in the near future?

While NDI is not directly working on the Western Sahara issue, and thus does not profess any particular expertise on this issue, it is my belief that the Western Sahara is less an issue of regional instability (i.e. no one truly believes that the Algerian and Moroccan governments will again resume armed conflict over the issue, despite occasional heated exchanges via *communiqués*), than an obstacle to greater economic and political cooperation and integration in the Maghreb region. Morocco has remained aloof from the Maghreb Arab Union as a result of the Western Sahara issue since 1994, and it remains, along with cross-border smuggling and the drug trade, a major strain on the diplomatic relations between the two countries. The Algerian-Moroccan border remains closed, and while this latter country has dropped visa restrictions for Algerian citizens in the past year, Algeria still requires entry visas for all Moroccan citizens. However, the Algerian and Moroccan governments, as well as their respective peoples, are aware that this stalemate is costly, and that it must be overcome if the Maghreb countries are to exercise any significant political and economic influence in an increasingly globalized world.

The Algerian government is extremely unlikely to accept a resolution of the Western Sahara conflict that is not in keeping with existing UN resolutions and the Baker plan, and that falls short of international law principles that guarantee all peoples the right to self-determination. Private meetings between President Bouteflika and King Mohammed VI of Morocco during the recent Arab League summit in Algeria are believed to have "unfrozen" relations between the two countries, but a lasting solution to the Western Sahara problem will require mediation and pressure from the international community, as well as continued bi-lateral talks.